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ABSTRACT

The manual provides suggestions to help local education agencies comply with regulations of Section 504 of the Rehabilitation Act of 1973. Chapter 1 reviews the general provisions of Section 504 on such topics as program and structural accessibility, transportation, and specific prohibitions. Chapter 2 deals with requirements for employment provisions, including a discussion of the need for documenting employment policies and practices. Physical accessibility guidelines are provided in a third chapter which also includes checklists for such specific aspects as walks, ramps, steps, and doorways. Design specifications for various other physical settings are given. Chapter 4 covers requirments for educational programs and services, including due process, evaluation and placement, and nonacademic services. The final chapter sets out requirements for self evaluation. (CL)

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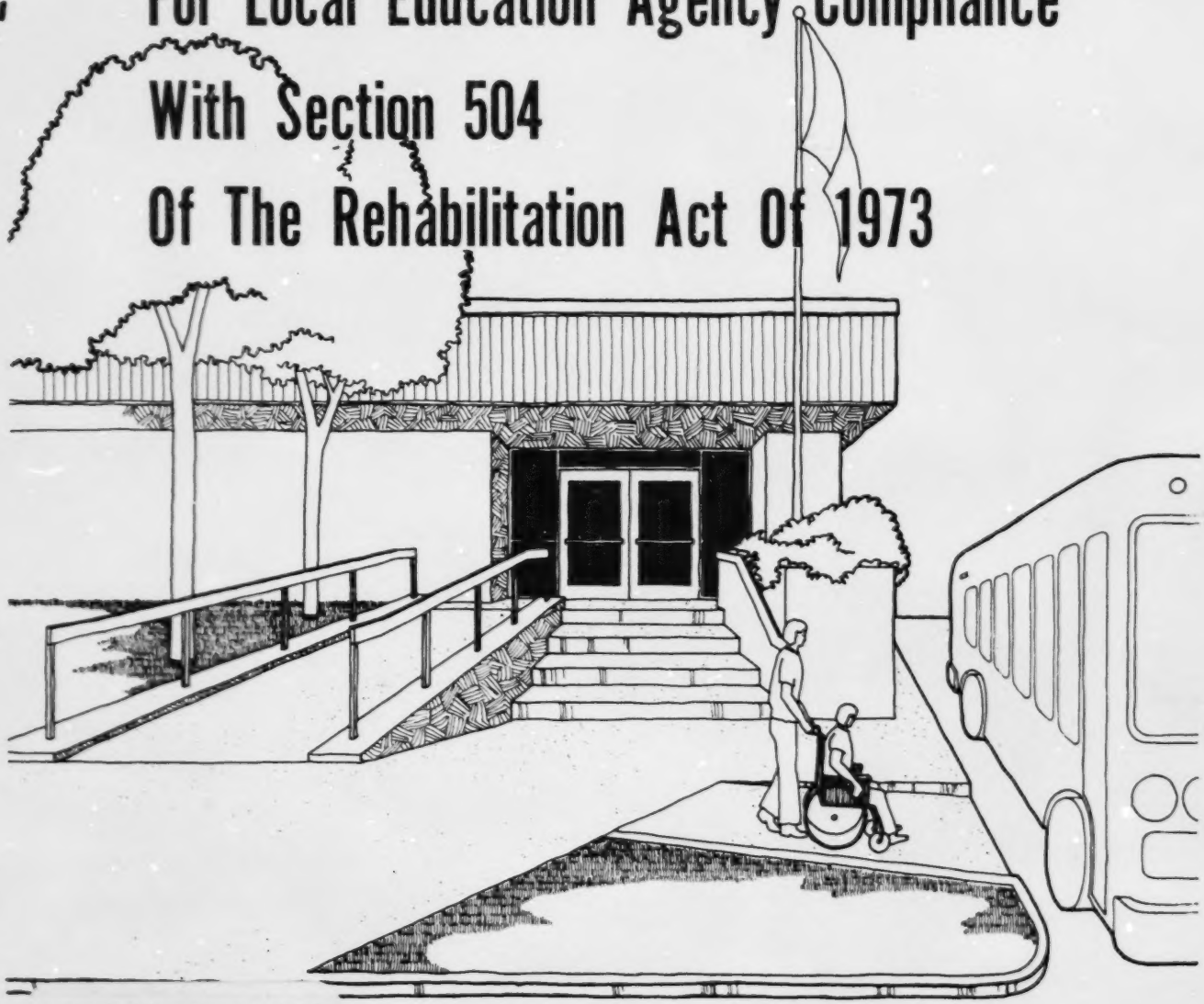

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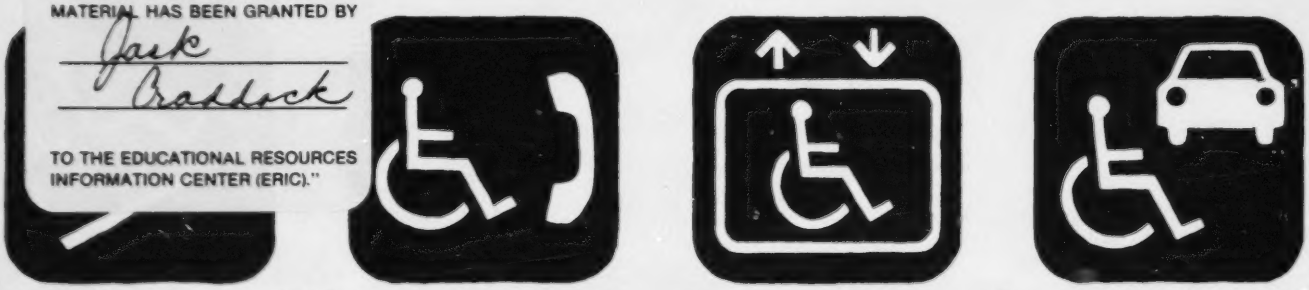

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Oklahoma State Department of Education

Leslie Fisher, State Superintendent

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Suggested Guidelines For Local Education Agency Compliance With Section 504 Of The Rehabilitation Act Of 1973

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Public Law 93-112

93rd Congress, H.R. 8070
September 26, 1973

REHABILITATION ACT OF 1973
Nondiscrimination Under Federal Grants

Section 504. No otherwise qualified handicapped individual in the United States, as defined in Section 7(6), shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 7. For the purposes of this Act:

(6) The term *handicapped individual* means any individual who (a) has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment and (b) can reasonably be expected to benefit in terms of employability from vocational rehabilitation services provided pursuant to Title I and III of this Act.

Public Law 93-516

93rd Congress, H.R. 17503
December 7, 1974

REHABILITATION ACT AMENDMENTS OF 1974

Section 111. (a) Section 7(6) of such Act is amended by adding at the end thereof the following new sentence: "For the purposes of Titles IV and V of this act, such term means any person who (a) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (b) has a record of such an impairment, or (c) is regarded as having such an impairment."

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Foreword

In response to requests for information on Section 504 of the Rehabilitation Act of 1973, the Oklahoma State Department of Education has developed a manual with suggested guidelines for compliance requirements.

It is hoped that this manual will provide local education agencies with a self-evaluation plan which can be used to determine their level of compliance with Section 504.

The guidelines, recommendations, and checklists will help identify and clarify the responsibilities of Oklahoma educators in complying with Section 504.

Sincerely,

Leslie Fisher

Leslie Fisher
State Superintendent

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Many hands and many minds joined together to produce this volume. Without them, the job would not have been possible. Among those making major contributions were Jim Hodges, architect, School Plant Section; Pam Deering, coordinator for EHA-B Funds, Special Education Section; and Dr. Norma Walker, consultant on Section 504.

Oklahoma State Department of Education administrators who were heavily involved in the production of this book were Bob Martin, Director, School Plant Services; Dr. Maurice Walraven, Consultant to Instruction Division; Dr. Jimmie L.V. Prickett, Administrator, Special Education Section; and Jack Craddock, Director, Communications/Dissemination Section.

The committee responsible for this book gratefully acknowledges the use of the Arizona State Department of Education's publication, *Guidelines on Section 504*.

Illustrations were provided by Jim Hodges and layout and design of the book was by Nita West.

Introduction

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Section 504 of the Rehabilitation Act of 1973 provides that "no otherwise qualified handicapped individual . . . shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

What does this mean for the Local Education Agency?

This book, provided to you by the Oklahoma State Department of Education, is intended to help you decide what the implications of the law are for you and your Local Education Agency (LEA).

History of Section 504

In September 1973, Congress passed the Rehabilitation Act of 1973, and under Title V of that Act, Section 504 prohibits discrimination on the basis of handicap in every federally assisted program or activity in the country.

Each federal agency is responsible for writing its own regulations related to compliance with Section 504. In April, 1977, ED issued its regulations, which apply to all recipients of federal ED funds. The regulations are intended to insure that all ED funded *programs,, activities, and services* are provided without discrimination on the basis of handicap.

The Regulations Under Section 504

The regulations define and forbid acts of discrimination against qualified handicapped persons in *employment* and in the operation of *programs, activities, and services* of agencies which receive financial assistance from the Department of Education.

Employment of Handicapped Persons

As employers, recipients of federal funds must make reasonable accommodations to the needs of handicapped applicants and employees unless the accommodation would cause the employer undue hardship.

Participation in Programs by Handicapped Persons

Recipients of federal funds are required to make programs operated in existing facilities accessible to handicapped persons, to insure that new facilities have been constructed so as to be readily accessible to handicapped persons, and to operate their programs in a nondiscriminatory manner.

Definition of Handicapped Persons

The term handicap includes such diseases or conditions as speech, hearing, visual and orthopedic impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, diabetes, heart disease, mental retardation, emotional illness, and specific learning disabilities such as perceptual handicaps, dyslexia, minimal brain dysfunction and developmental aphasia.

In accordance with a formal opinion of the Attorney General of the United States, alcohol and drug addicts are also considered handicapped individuals. Physical or mental impairments do not constitute a handicap, however, unless they are severe enough to substantially limit one or more of the major life functions.

Aids for Local Education Agencies

Recommendations and suggested guidelines relative to what is required of Local Education Agencies (LEA) under Section 504 regulations are presented in this booklet. They are offered in the areas of employment, program accessibility, physical accessibility, educational programs and services, and self-evaluation. They are *advisory only*. It is hoped that

these guidelines will be of assistance in achieving the common goal of providing the best education possible for all persons in the State of Oklahoma.

Overview of Aids Provided

Chapter 1 of this publication is provided as an aid in assembling the materials and taking the steps necessary for compliance. Additional materials which may be of use to the Local Education Agency (LEA) are provided in the Appendix.

Chapter 2 is concerned with the requirements for employment of handicapped persons.

Chapter 3 provides guides for determining the physical accessibility of any facility in which there is a program that must be made accessible in that building (because the program cannot be moved to another building and remain the same program).

Chapter 4 provides an overview of the Educational Programs and Services required by Section 504, and their relation to the requirements of P.L. 94-142, the Education for All Handicapped Children Act.

Chapter 5 contains recommendations concerning the form of the Transition Plan and the content of the Self-Evaluation Study which are required to be kept on file in the office of the Local Education Agency (LEA).

The Appendix contains many materials which have proved to be useful in understanding and meeting the requirements of the ED regulations pertaining to Section 504 of the Rehabilitation Act of 1973.

Other Materials Available

The Office for Civil Rights provides without cost certain other aids to recipients as guides for compliance with the regulations under Section 504. If the Local Education Agency (LEA) has not already been sent a copy of the *504 Self-Evaluation Guide for Preschool, Elementary, Secondary, and Adult Education,* it should request one as soon as possible for use as a reference source. A copy of the regulations should also be requested from the regional office of ED by writing directly to Office for Civil Rights, 1200 N. Tower, Dallas, TX 75202.

Chapter 1

General Provisions Of The 504 Regulations

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I. Program Accessibility
II. Structural Accessibility
III. Basic Requirements
IV. Definition of an Appropriate Education
V. Transportation of Handicapped Students
VI. Section 504 Definitions
VII. Specific Prohibitions
VIII. Compliance with Regulations Under Section 504

There are certain provisions of the 504 Regulations which each recipient of ED funds must observe and certain actions which each recipient must take. Some of the actions were to have been taken before now, and a list of those actions and the dates by which they were to be accomplished are listed in the Appendix.

The most important date to be observed was June 2, 1980. By that time, all structural changes were to have been made in existing facilities where necessary to achieve program accessibility.

I. PROGRAM ACCESSIBILITY

The intent of the law and of the regulations under Section 504 is that handicapped persons shall have equal access to programs and services. There are various means of providing equal access to programs and services.

The following general explanation of program accessibility is based on a Fact Sheet on Section 504, issued in July, 1977, by ED, and available from them.

The regulations provide that programs must be accessible to handicapped persons. They do not require that every building or part of a building must be accessible, but the program as a whole must be accessible.

In meeting the objective of program accessibility, a recipient must take care not to isolate or concentrate handicapped persons in settings away from non-handicapped program participants.

II. STRUCTURAL ACCESSIBILITY

Structural changes to make the program accessible must be made only if alternatives, such as reassignment of classes or home visits, are not appropriate. The intent is to make all benefits or services available to handicapped persons as soon as possible. LEA's have been given three years from the date of the signing of the regulations (April, 1977) to complete structural changes to their physical plants; nonstructural changes (guarantees of program accessibility and non-discrimination) were to be made in 60 days, or by August 2, 1977.

All buildings for which site clearance began after June 3, 1977, must be designed and constructed to be accessible to handicapped persons from the start. The design standards of the American National Standards Institute (ANSI) must be used to determine minimal requirements for accessibility. (See Chapter 3 for guidelines for physical accessibility.)

III. BASIC REQUIREMENTS

The basic requirements of the regulations are:

A. That every handicapped child is entitled to a free public education, regardless of the nature or severity of the handicap.

B. That handicapped students must not be segregated in public on the basis of their handicapping condition, but must be educated with non-handicapped students to the maximum extent appropriate to their needs.

C. That evaluation procedures be improved in order to avoid the inappropriate education that results from misclassification.

D. That procedural safeguards be established so parents and guardians have the opportunity to object to evaluation and placement decisions made with respect to their children.

E. That State or LEA's locate and identify unserved handicapped children.

IV. DEFINITION OF AN APPROPRIATE EDUCATION

An appropriate education can be afforded by many different methods, including use of regular classes with or without aids, depending on need; private or public homes or institutions; or through combinations of such methods so long as handicapped and non-handicapped students are educated together *to the maximum extent possible*. The result should be to provide the education program best suited to the individual needs of each handicapped person.

It should be emphasized that where a handicapped student is so disruptive that education of other students in the classroom is impaired, the student can be reassigned. A common sense rule of reason applies in such cases.

V. TRANSPORTATION OF HANDICAPPED STUDENTS

The regulations provide that school systems bear special responsibilities, in some instances, for transportation of handicapped students to and from education programs. Where placement in a public or private residential program is necessary, the school district has responsibility for the costs of the program, nonmedical care, room and board, and transportation.

VI. SECTION 504 DEFINITIONS (Regulations Citation 84.3)

A. Handicapped Person

1. *Handicapped person* means any person who:
   (a) has a physical or mental impairment which substantially limits one or more major life activities,
   (b) has a record of such an impairment, or
   (c) is regarded as having such an impairment.
2. As used in this section, the phrase:
   (a) *Physical or mental impairment* means:
      (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; cardiovascular, reproductive, digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
      (2) Any mental or physiological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
   (b) *Major life activities* means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
   (c) *Has a record of such impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
   (d) *Is regarded as having an impairment* means:

(1) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;
(2) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or is treated by a recipient as having such an impairment.

B. Qualified Handicapped Person
1. With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question.
2. With respect to public preschool, elementary, secondary, or adult educational services, a handicapped person
   (a) of an age during which non-handicapped persons are provided such services,
   (b) of any age during which it is mandatory under state law to provide such services to handicapped persons, or
   (c) to whom a state is required to provide a free appropriate public education under Section 612 of the Education for All Handicapped Children Act.

VII. SPECIFIC PROHIBITIONS (Regulations Citation 84.4)

No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance. Some specific prohibitions are listed below.

A. An LEA may not discriminate against handicapped individuals in the providing of or participation in any aid, benefit or service provided by the LEA.

B. An LEA may not provide significant assistance to an agency, organization or person that discriminates against handicapped persons.

C. An LEA may not deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards.

D. An LEA may not utilize criteria or methods of administration
1. that have the effect of subjecting qualified handicapped persons to discrimination on the basis of handicap,
2. that have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the recipient's program with respect to handicapped persons, or
3. that perpetuate the discrimination of another recipient if both recipients are subject to common administrative control or are agencies of the same state.

E. An LEA may not select a site or location for a facility that would have the effect of excluding handicapped persons from the benefit of a federally-funded program in that building.

VIII. COMPLIANCE WITH REGULATIONS UNDER SECTION 504

The following information describes, in brief, the kinds of information which the LEA is expected to have, and the actions which are required, under the ED regulations pertaining

to Section 504 of the Rehabilitation Act of 1973.

A. **Specific Actions Required of Each LEA (Regulations Citation 84.5)**

1. Each superintendent of an LEA should have mailed an assurance of compliance form (HEW 641; see Appendix for copy). This form was to have been mailed to Office for Civil Rights by June, 1977. Keep a copy on file, also. *This is the only document which must be mailed in.* All the others should be kept on file in the office of the LEA. (Regulations Citation 84.5)
2. **Self-Evaluation (By June 2, 1978) (Regulations Citation 84.6)**
   (a) Each LEA should conduct an evaluation of its curriculum and facilities to determine compliance with the requirements of Section 504. Such an evaluation must utilize the assistance of "interested persons, including handicapped persons or organizations representing handicapped persons."
   (b) Each LEA employing 15 or more persons must maintain on file, available for public inspection, a record of such self-evaluation. (See Chapter 5.)
3. **Modification (Regulations Citation 84.6)**
   (a) Policies, practices, or procedures identified as being out of compliance should be noted. A written plan for modification of the procedures, practices, or policies should be maintained in the district office. (See Chapter 5.)
   (b) Structural modification identified by the self-evaluation must have been completed by June 2, 1980.
4. **Designation of Responsible Employee (Regulations Citation 84.7)**
   An LEA that employs 15 or more persons shall designate at least one person to coordinate its efforts to comply with this part.
5. **Adoption of Grievance Procedures (Regulations Citation 84.7)**
   An LEA that employs 15 or more persons shall adopt grievance procedures that incorporate due process standards that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part. Such procedures need not be established with respect to complaints from applicants for employment.
6. **Notification (Regulations Citation 84.8)**
   An LEA that employs 15 or more persons shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of handicap in violation of Section 504 and this part. The notification shall state, where appropriate, that the recipient does not discriminate in admission or access to, or treatment or employment in, its programs and activities. The notification shall also include an identification of the responsible employee designated pursuant to Section 84.7(a).
7. **Methods of Notification (Regulations Citation 84.8)**
   Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in recipients' publication, and distribution of memoranda or other written communications.

8. **Notification in Published Material (Regulations Citation 84.8)**
If an LEA publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, it shall include in those materials or publications a statement of the policy described in paragraph (a) [See "No. 6 Notification," above] of this section of the regulations. A recipient may meet the requirement of this paragraph either by including appropriate inserts in existing materials and publications or by revising and reprinting the materials and publications.

Chapter 2

Provisions Governing Employment Of Handicapped Persons

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I. GENERAL PROVISIONS

Employers may not refuse to hire or promote handicapped persons solely because of their disability. Reasonable accommodation will have to be made to the person's handicap, where needed.

Examples of reasonable accommodations might include providing a cassette recorder for a blind employee, changing the physical location where the task is to be performed, or re-defining the nature of the task. Under certain circumstances, an employer might find it necessary to provide more extensive accommodations, or might need to provide a ramp and/or an accessible restroom. The size and type of employing agency and the cost involved in the accommodation are considerations in determining what constitutes undue hardship for the employer.

Failure to employ or promote an employee who is not qualified or who cannot be helped by reasonable accommodation is not discrimination. However, an employer may not reject an applicant simply because reasonable accommodation is necessary.

Pre-employment physical examinations cannot be required and pre-employment inquiry cannot be made about a person's handicapping condition. Employers may, however, ask about an applicant's ability to perform job-related functions. Employers may make an offer of employment conditional on a medical examination if required of all employees and no one is disqualified on the basis of a physical condition that does not affect adequate performance of the work task.

I. General Provisions
II. Need for Documentation of Employment Policies, Practices

II. NEED FOR DOCUMENTATION OF EMPLOYMENT POLICIES, PRACTICES

The regulations require that non-discriminatory employment practices be documented. This will require that certain actions be taken. The following materials indicate the requirements and provide suggestions for possible ways of meeting the requirements.

A. Administrative Actions Required

1. Each superintendent of an LEA should have mailed an assurance of compliance form (HEW 641; see Appendix for copy). This form was to have been mailed to Office for Civil Rights by June, 1977. Keep a copy on file, also. This is the only document which must be mailed in. All the others should be kept on file in the office of the LEA. (Regulations Citation 84.5)
2. LEA's with 15 or more employees should appoint a Section 504 coordinator. The documentation should include the name of the person appointed, location of the compliance office, and telephone number. This information should be posted throughout the system. For districts appointing a full-time coordinator, a job description should be included. (Regulations Citation 84.7 (a))
3. Select interested persons or organizations representing handicapped persons to serve on the Self-Evaluation Committee. (The same persons can serve on both the Tran-

sition Plan Committee and the Self-Evaluation Committee.) Document the persons or organizations considered and specific persons selected. (Regulations Citation 84.6 (c))

Suggestion: Select one person who is hearing impaired, or from an organization of hearing impaired persons; one person who is visually impaired or from an organization of visually impaired persons; one person who is mobility impaired or from an organization of mobility impaired persons. Ask any one, two, or all three of the persons to serve on the committee.

4. Select a Self-Evaluation Committee or team for review of all administrative actions, policies, and practices relevant to employment of handicapped persons. The group should be responsible for recomending modifications of all nonconforming policies and practices where found, and for suggesting remedial action where needed to make up for past specific nonconformity.

   Suggestion: Document committee appointments and the presence of handicapped persons on the committee. Keep records of all committee actions and recommendations, and administrative responses to them.

   NOTE: The time table for compliance states that the Self-Evaluation Study should have been completed by June 2, 1978.

5. Establish policy or policies related to recruitment and employment of handicapped persons, and services for handicapped employees.

   Suggestion: Document each policy and distribute it widely; document its distribution. Include a general policy on nondiscrimination related to all handicapped persons.

6. Distribute a notice that the LEA does not discriminate in admission or access to, or treatment or employment in, its programs and activities. The notice should be set forth as directed in the regulations (84.8(a)), and included in all recruitment material for both students and employees. (Regulations Citation 84.8 (a)).

   Suggestion: The Self-Evaluation Committee should be involved in the development of the notice and should review the method of its distribution. Documentation of all notices used in the recruitment, selection and placement is essential. This is a continuing action, required initially by September 1, 1977.

7. An LEA receiving assistance under P.L. 94-142, the Education for all Handicapped Children Act shall take positive steps to employ and advance in employment qualified handicapped persons in programs assisted under that Act. (Regulations Citation 84.11(a) (2)) The words "positive steps" instead of "affirmative action" were chosen deliberately, because it was not intended that this section would incorporate the types of activities required under Executive Order 11246 (employment of minorities); in other words, there is no quota system for employment or promotion. This also means that the requirement is an ongoing one, not satisfied by employment or promotion of any particular number of handicapped persons.

B. Review of Grievance Procedures

1. Examine the LEA's grievance procedures, and modify as needed for applicability to needs of handicapped persons.

   Suggestion: Procedures described by

the regulations should be applicable to any employee. In the case of an employee grievance related to Section 504, the 504 Coordinator should be brought into the process and the procedure interpreted within the Section 504 requirements as specified in the regulations. Notice that the regulations state (page 22676) that "different or special treatment of handicapped persons, because of their handicaps, may be necessary in a number of contexts in order to insure equal opportunity". The Self-Evaluation Committee should review and, if necessary, modify or re-write the grievance procedure with this in mind. References in the regulations which are most important in this process are those to "qualified handicapped person", "reasonable accommodation", "essential functions", and "undue hardship". Important citations will be found in the regulations, pages 22678 (84.3); 22680-22681 (84.11–84.14). Most important is section 84.12, page 22680, on "reasonable accommodation".

C. Recruitment and Selection of Employees

1. Review all contractual arrangements, to make sure that there is no discrimination. Employment agencies, referral agencies, labor unions, teachers' organizations, medical and life insurance, retirement plans and other fringe benefits, and training of in-service programs should be examined for possible discriminatory clauses or practices.
2. Pre-employment inquiries. A recipient may not inquire as to whether or not an applicant is handicapped. [Note that 84.14 (b) provides an exception to the inquiry rule when the recipient is taking voluntary remedial action. Even this is qualified by 84.14 (b) (1) and (2)]. A recipient may not conduct a pre-employment medical examination of an applicant or may not make pre-employment inquiry of an applicant as to whether the applicant is a handicapped person or as to the nature or severity of a handicap. The applicant may, however, be examined on ability to perform job-related functions. (Regulations Citation 84.14 (a))

   Note that nothing shall prohibit a recipient from conditioning an offer of employment on results of a medical examination conducted prior to the employee's entrance on duty, providing that:

   (a) all entering employees are subjected to such an examination, and
   (b) there is confidentiality of medical records. (Regulations Citation 84.14 (2) (c) and (d))

   Suggestion: Employment tests or other selection criteria may not screen out or tend to screen out handicapped persons unless:

   (a) test scores or other criteria are shown to be job-related and validated for the position in question, and
   (b) alternative job-related tests or criteria that do not screen out or tend to screen out handicapped applicants are not shown by the Director of Office for Civil Rights to be available.
3. If an LEA administers a test, it shall select and administer tests to insure that, when administered to an applicant who has a handicap (impaired sensory, manual, or speaking skill), that test results accurately reflect applicant's job skills and not the employee's or applicant's impairment, unless these skills

are factors the test purports to measure. (Regulations Citation 84.13)

Suggestion: One of the major tasks of the Self-Evaluation Committee in relation to employment will be the review of job descriptions in relation to Section 504 as indicated in 84.11 (b) (4). Each job description will have to be detailed as to essential functions of the job. The handicapped person's abilities must be compared to the basic skills required to perform the job task, and reasonable accommodation must be made when appropriate.

D. Reasonable Accommodation

This term used within the Section 504 regulations pertains to employment situations in which a "qualified handicapped person" applies for a job which he or she can perform adequately except for the need for some assistance for one part of the job task.

If a small change in equipment, job description, or job assignment would make performance of the job duties possible without substantially limiting output, the reasonable accommodation is justified – and is required under the regulations.

In those cases where an accommodation for the handicapping condition would substantially limit or disrupt production or accomplishment of job-related duties, then it is said to cause the employer an undue hardship and would not be justified.

NOTE: There are no sure guidelines at this time for determining in advance what is "reasonable accommodation."

E. Other Areas of Review

Self-evaluation committees should also examine the following areas related to employment policies and practices: Recruitment; advertising; applications; hiring; promotion; transfer; demotions; terminations; upgrading; award of tenure; layoff; right to return from layoff; selection and financing for training; rehiring; disciplinary procedure; any other term, condition, or privilege of employment; rates of pay, other forms of compensation and changes in compensation; job assignments, job classification; organizational structures; lines of progression; leaves of absence, sick leave, other leaves; fringe benefits; social and recreational programs.

F. Addiction as an Employee Handicap

As noted earlier, drug and alcohol addiction are covered under Section 504 regulations. The regulations, however, protect rights of "qualified" handicapped people and this term implies limitations on what is expected of employers or institutions providing services.

In regard to addiction, an employer is not required to change his performance or behavioral standards regarding past work performance or consequences of disruptive, abusive or dangerous behavior, even if these actions stem from a person's alcoholism or drug addiction.

Schools, like other employers, may apply their standards of employment performance to persons with alcohol and drug problems as they would apply them to other persons.

Chapter 3

Achieving Physical Accessibility To Programs And Services

I. Physical Accessibility
II. The Physical Accessibility Checklist and Illustrations
III. The Suggested Form for Transition Plan
IV. Meeting Accessibility Requirements
V. Procedure for Developing Physical Accessibility Plans

I. PHYSICAL ACCESSIBILITY

The goal of the regulations under Section 504, and the intent of the law, is that programs and services will be accessible.

The LEA will need to survey its facilities and determine whether the buildings or sites at which the programs and services are offered are physically accessible to disabled persons. If the program or service cannot be moved and still retain its unique characteristics, then the physical facility in which it must remain will have to be modified architecturally so that it is accessible.

The advice and active participation of handicapped persons should be sought for the development of plans to modify existing buildings.

II. THE PHYSICAL ACCESSIBILITY CHECKLIST

The questions and illustrations in the Checklist which follows are intended to provide a guide for use in estimating the changes which will be needed to comply with the standards acceptable for accessibility. These standards have been developed by the American National Standards Institute, and are the ones ED will accept for compliance with its regulations governing Section 504, Title V of the Rehabilitation Act of 1973. They are commonly referred to as the ANSI Standards.

III. THE TRANSITION PLAN

The 504 Regulations require that you develop a Transition Plan for your physical facilities, showing what you plan to change, and how and when you plan to make the changes in order to comply with requirements for accessibility of physical facilities which house programs funded by ED.

Regulations require that you use the ANSI Standards for accessibility. The relevant ANSI Standard is on each Accessibility Checklist form, and there is sufficient space on each form to write in the changes that need to be made. These can serve as working forms for your building and maintenance staff, and as guides if you decide to ask for architectural assistance. You will need an orderly plan for making the necessary changes so that buildings are accessible. We have included a suggested form for the Transition Plan. Further discussion of the Transition Plan will be found in Chapter 5.

IV. MEETING ACCESSIBILITY REQUIREMENTS

In considering methods of meeting the accessibility requirements, the LEA must make sure that the selected methods do not result in segregation of handicapped students in a single setting, and that the programs and services provided to handicapped students are equal to those provided non-handicapped students.

V. PROCEDURE FOR DEVELOPING PHYSICAL ACCESSIBILITY PLANS

It is suggested that you study the following

Checklist, so that you will know the kinds of things to look for in doing your survey.

Use both the Checklist – as a reference tool, with particular reference to the illustrations – and the Suggested Form for Transition Plan which follows it, in checking your building and grounds for accessibility.

Because of the requirement for recruitment and employment of handicapped persons, office areas should be included in the survey.

After the survey is completed, preliminary plans for changes should be considered in consultation with physically handicapped persons, who may have very helpful suggestions for alternative (and sometimes less costly) means of providing accessibility. Also, you may notice that most of the standards for accessibility are based on the needs of mobility impaired persons, or persons in wheelchairs. Hearing impaired and visually impaired persons may have some needs for modifications of buildings which you can incorporate into your plans at very little additional expense. The spirit of the law encourages such consideration.

PROCEDURE: It is recommended that you follow these procedures to make up your Transition Plan:

Step 1. Use the Accessibility Checklist and the illustrations provided in the Illustrations Section immediately following the Checklist to determine whether all your programs and services are physically (architecturally) accessible.

Step 2. List all the places where changes need to be made, what the changes are, and by what date they will be made. A work sheet form is provided which you may find useful in making up your list.

Step 3. Compile the above information into one overall plan for making the architectural modifications for accessibility. Keep it on file. This is your TRANSITION PLAN. It is one part of your district's Self-Evaluation Plan required under Section 504.

Walks

(ANSI Standards Section 4.2)

Walks should be at least 48 inches wide, uninterrupted by steps, and should blend into other walks or parking areas on a common level. Where practicable, walks should meet entry porches at a common level. Curb cuts provide access to parking areas. (See Illustrations Section.)

	Yes	No	Comments / Recommendations / Description
1. Are public walks at least 48 inches wide? Is the gradient less than 5%? 1 foot rise in 20 foot length.			
Where are wider walks needed?			
2. Are walks of a continuing common surface not interrupted by steps or abrupt changes in level? If not, state location.			
3. Wherever they cross other walks, driveways or parking lots, do walks blend to a common level? If not, state location.			
4. Do walks have a level platform at the top of which is (a) at least 5x5 feet if a door swings out onto the platform or toward the walk, or (b) 3x5 feet if door does not swing onto the platform?			
If not, state location.			
5. Does the platform extend at least 1 foot beyond each side of the doorway?			
If not, state location.			

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Parking Lots

(ANSI Standard Section 4.3)

Parking lots should have designated spaces for handicapped. Spaces are 12 feet wide, located for convenient access to the building or buildings. The number of spaces should be sufficient to meet the everyday needs of students and possible occasional use by the public. Appropriate signs should be installed. (See Illustrations Section.)

	Yes	No	Comments / Recommendations / Description
1. Are accessible spaces close to the facility?			
a. Are they identified as reserved for use by individuals with physical disabilities?			
2. Are there parking spaces open on one side, allowing room (12 feet minimum width) for individuals in wheel chairs or braces and crutches to get in or out onto a level surface?			
3. Is it unnecessary for individuals in wheel chairs or those using braces and crutches to wheel or walk behind parked cars?			
4. Is distribution of spaces for use by the disabled in accordance with the frequency and persistency of parking needs?			
5. How many spaces do you think are required?			
6. Where should they be located?			

Ramps

(ANSI Standards Section 5.1)

Ramps are used both inside and outside to accommodate wheel chairs and others with physical handicaps. They normally should be located where necessary to permit access from building level to building level and provide access to necessary areas and facilities. (See Illustrations Section.)

	Yes	No	Comments / Recommendations / Description
1. Are there built-in ramps or slopes (part of the building plan) in your building?			
Where?			
2. Do ramps have handrails on at least one side?			
a. Are they approximately 32 inches in height measured from the surface of the ramp?			
b. Are the surfaces smooth?			
c. Do they extend 1 foot beyond the top and bottom of the ramp?			
3. Are these ramps specifically installed for handicapped at your site?			
Where?			
4. Do these ramps have handrails on at least one side?			
a. Are they approximately 32 inches in height measured from the surface of the ramp?			
b. Are the surfaces smooth?			

	Yes	No	Comments / Recommendations / Description
c. Do they extend 1 foot beyond the top and bottom of the ramp?			
d. Do they have no-slip surfaces?			
5. Do ramps have a slope no greater than 1 foot rise in 12 feet?			
Do any of the above ramps need modifying?			
6. Are additional ramps needed? Where?			
7. Do platforms comply with questions 4 and 5 under "Walks?" If not, describe.			
8. Do ramps have at least 6 feet of straight clearance at the bottom?			
9. Do ramps have level platforms at 30-foot intervals for purposes of rest and safety, and whenever they turn?			

Entrance/Exits - Doors/Doorways

(ANSI Standards Sections 5.2 and 5.3)

Each building which houses an activity in which persons with physical disabilities are engaged or may engage must be accessible and should have at least one entry/exit usable by them. In major buildings this entry should be as convenient as practicable to areas of prime use. The relative location of entry and parking is important. (See Illustrations Section.)

	Yes	No	Comments / Recommendations / Description
ENTRANCE/EXITS			
1. Is at least one primary entrance to each building usable by individuals in wheelchairs? (It is preferable that all or most entrances and exits should be accessible to, and usable by, individuals in wheelchairs or who have physical disability.)			
2. Is at least one entrance usable by individuals in wheelchairs on a level that would make the elevators accessible?			
3. Are additional usable entries / exits required?			
How many? Where?			
DOORS/DOORWAYS			
1. Do doors have a clear opening of no less than 32 inches when open?			
a. Are they operable by a single effort? (Note: 2-leaf doors are not usable by those with disabilities unless they operate by single effort, or unless one of the two leaves meets the 32-inch width.)			
2. Are the doors operable with pressure or strength which could reasonably be expected from disabled persons?			

	Yes	No	Comments / Recommendations / Description
3. Is the floor on the inside and outside of each doorway level for a distance of 5 feet from the door in the direction the door swings?			
a. Does it extend 1 foot beyond each side of the door?			
4. Are sharp inclines and abrupt changes in level avoided at doorsills?			
5. Do door closers allow the use of doors by physically disabled persons?			

Stairs/Steps - Floors

(ANSI Standards Section 5.4 and 5.5)

	Yes	No	Comments / Recommendations / Description
STAIRS/STEPS			
1. Do steps avoid abrupt nosing? (Nosings with overhangs)			
2. Do stairs have handrails approximately 32 inches high as measured from the tread at the face of the riser?			
3. Do stairs have at least one handrail that extends approximately 18 inches beyond the top and bottom step?			
4. Do steps have risers approximately 7 inches or less?			
FLOORS			
1. Do floors have a non-slip surface? (Are floors suitable for use by handicapped/ crutches?)			
2. Are floors on each story at a common level or connected by a ramp?			
DOORS			
1. Are all interior doors at least 32 inches clear? If not, state location.			

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Rest Rooms

(ANSI Standards Section 5.6)

It is essential that an appropriate number of rest rooms be accessible to and usable by physically handicapped. At the present time, only a few of our schools have rest rooms with specially designed accommodations. Our intent at this time is to determine the need and location for such accommodation. (See Illustrations Section.)

	Yes	No	Comments / Recommendations / Description
1. Have adequate rest rooms been remodeled or built to accommodate handicapped?			
2. How many rest rooms at the site need to be remodeled? Males Locations?			
Females Locations?			
3. Recommendations/Comments			

Water Fountains

(ANSI Standards Section 5.7)

	Yes	No	Comments / Recommendations / Description
1. Is there an appropriate number of water fountains?			
a. Are they accessible to physically handicapped people?			
b. Are they usable by the handicapped?			
2. Do water fountains or coolers have up-front spouts and controls?			
3. Are they hand-operated?			
4. If coolers are wall-mounted, are they hand-operated, with basins 36 inches or less from the floor?			
5. If they are floor-mounted, are spouts no higher than 30 inches?			
6. Are the fountains accessible to people in wheelchairs?			
7. Comments/Recommendations as to utility of existing water fountains for handicapped.			

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Public Telephones - Elevators - Controls

(ANSI Standards Section 5.8, 5.9, and 5.10)

	Yes	No	Comments / Recommendations / Description
PUBLIC TELEPHONES Comments:			
ELEVATORS **No elevators installed:** In multi-story buildings, subjects and activities which are required or desired by handicapped persons in wheelchairs or who are otherwise unable to climb stairs, must be offered on an accessible level of the building. 1. Is the above being carried out in your building? Comments:			
CONTROLS 1. Are switches and controls for light, heat, ventilation, windows, draperies, fire alarms and all similar controls of frequent or essential use within reach of individuals in wheelchairs? Comments:			

Identification

(ANSI Standards Section 5.11)

	Yes	No	Comments / Recommendations / Description
1. Are raised (or recessed) letters or numbers used to identify rooms or offices?			
2. Is identification placed on the wall, to the right or left of the door?			
a. Are they at a height between 4 feet, 6 inches and 5 feet, 6 inches, measured from the floor?			
3. Are doors not intended for normal use, which might prove dangerous if a blind person were to exit or enter by them, made quickly identifiable to the touch by knurling the door handle or knob? Location?			
4. Under the conditions which exist in your building do you believe that there is a need for additional or different identification to improve accessibility for handicapped persons?			
5. Comments/Recommendations:			

Warning Signals - Hazards

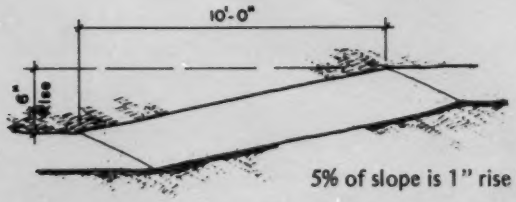
(ANSI Standards Sections 5.12 and 5.13)

	Yes	No	Comments / Recommendations / Description
WARNING SIGNALS			
1. Are audible warning signals accompanied by simultaneous signals for the benefit of those with hearing or sight disabilities?			
a. Fire?			
b. Severe weather?			
HAZARDS			
1. When manholes or access panels are open and in use, or when an open excavation exists on a site, when it is approximate to normal pedestrian traffic, are barriers placed on all open sides at least 8 feet from the hazard, and are warning devices installed? Location?			
2. Are there low-hanging door closers that remain within the opening of a doorway or that protrude hazardously into regular corridors or traffic ways? Location?			
3. Are there low-hanging signs, ceiling lights, fixtures or similar objects that protrude into regular corridors or traffic ways? (A minimum height of 7 feet measured from floor is recommended.) Location?			
4. Is lighting on ramps adequate?			
5. Are exit signs easily identifiable to all disabled persons?			

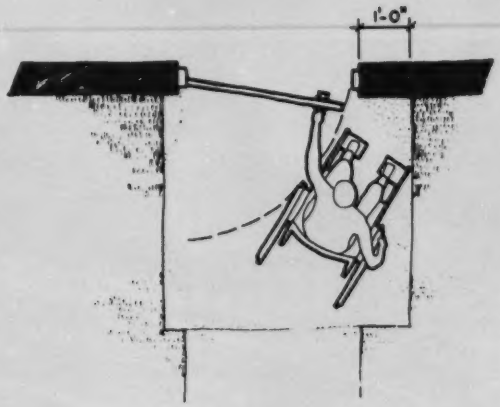
Illustrations

33

1. Are public walks at least 48 inches wide? Is the gradient not greater than 5 percent?
2. Are walks of a continuing common surface not interrupted by steps or abrupt changes in level?
3. Wherever they cross other walks, driveways or parking lots, do walks blend to a common level?
4. Do walks have a level platform at the top of which is (a) at least 5 x 5 feet if a door swings out onto the platform or toward the walk, or (b) 3 x 5 feet if door does not swing onto the platform?
5. Does the platform extend at least 1 foot beyond each side of the doorway?



5% of slope is 1" rise in 20" of run



Vertical level changes greater than ½" obstruct small wheels of chair and may trip those with semi-ambulatory disabilities.

Parking Lots

34

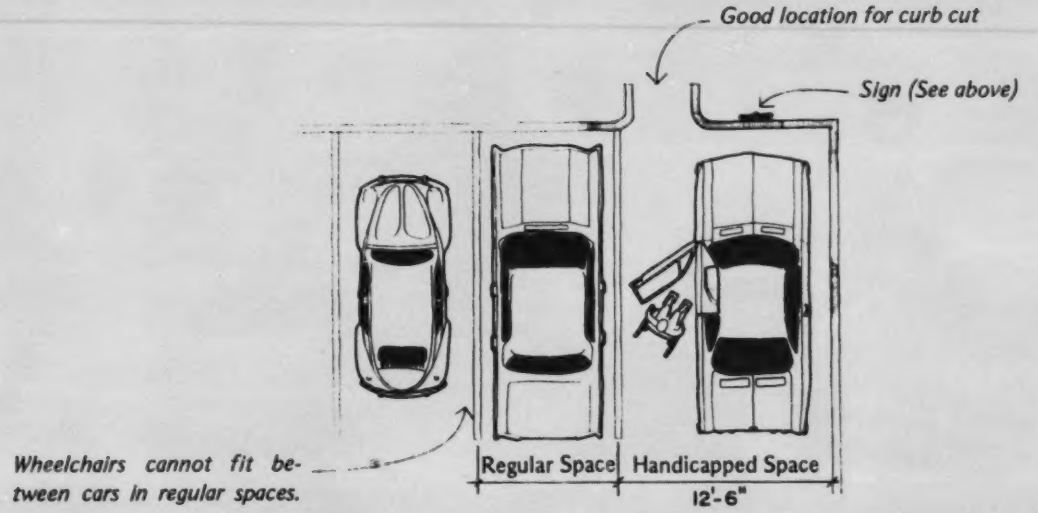
1. Are accessible spaces approximate to the facility?
   a. Are they identified as reserved for use by individuals with physical disabilities?

2. Are there parking spaces open on one side, allowing room (12 feet minimum width) for individuals in wheelchairs or on braces and crutches to get in or out onto a level surface?

3. Is it unnecessary for individuals in wheelchairs or those using braces and crutches to wheel or walk behind parked cars?

4. Is distribution of spaces for use by the disabled in accordance with the frequency and persistency of parking needs?

Suggested Signs Displaying The International Symbol For Accessibility



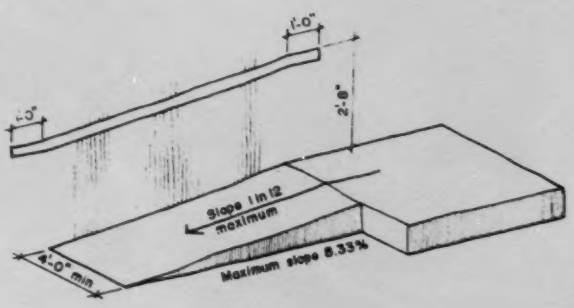
1. Do ramps have a slope no greater than 1 foot rise in 12 feet?

2. Do ramps have handrails on at least one side?
   a. Are they 32 inches in height measured from the surface of the ramp?
   b. Are the surfaces smooth?
   c. Do they extend 1 foot beyond the top and bottom of the ramp?

3. Do ramps have a surface that is non-slip?
   a. Do platforms comply with questions 4 and 5 under "WALKS"?

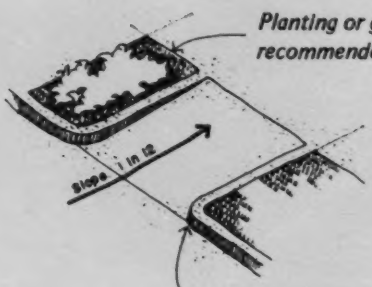
4. Do ramps have at least 6 feet of straight clearance at the bottom?

5. Do ramps have level platforms at 30-foot intervals for purposes of rest and safety, and wherever they turn?

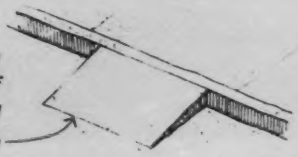


Curb Ramps

Curb ramps may lead the blind unknowingly into the street and may be a hazard unless they are consistently marked with a warning texture. Ramps which extend into the street and drop-off are also dangerous.



This type radiused curb preferred because curb provides visual demarcation and directional orientation for the blind.



Avoid placing curb ramps in street as above. Drop off at side is hazardous to all unless ramp is greater than 10'-0" wide with sides gradually feathered at a slope of 1:20.

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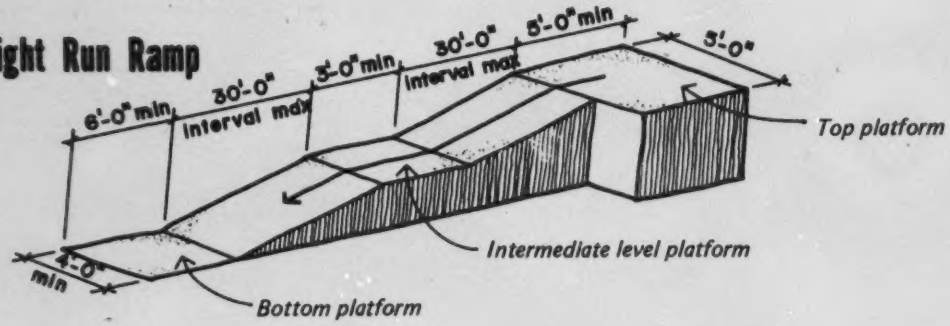
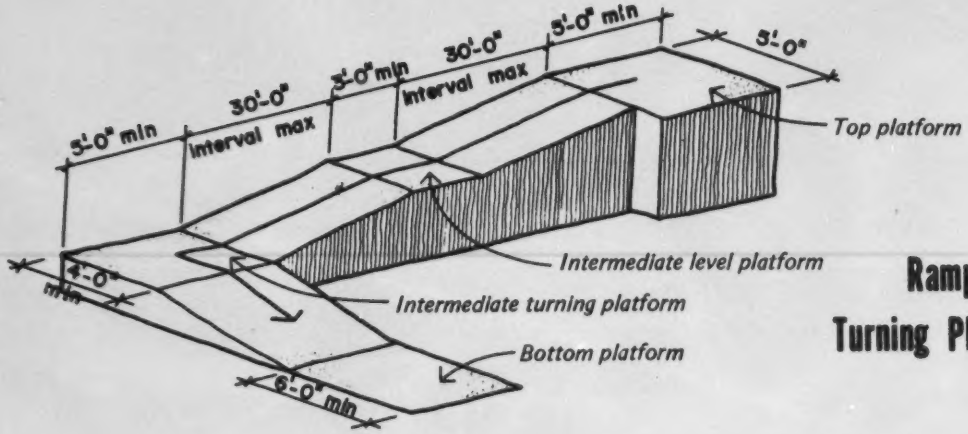
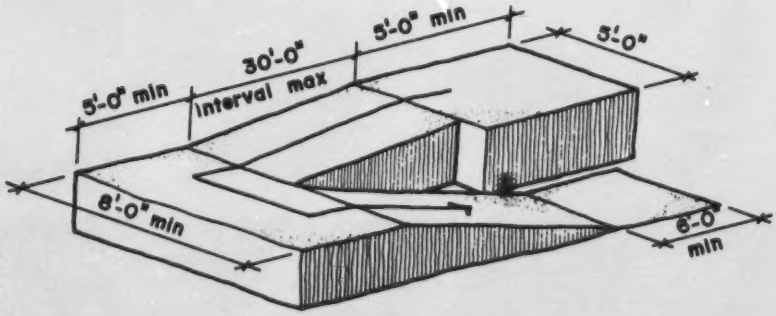
Straight Run Ramp





Ramp With Turning Platform

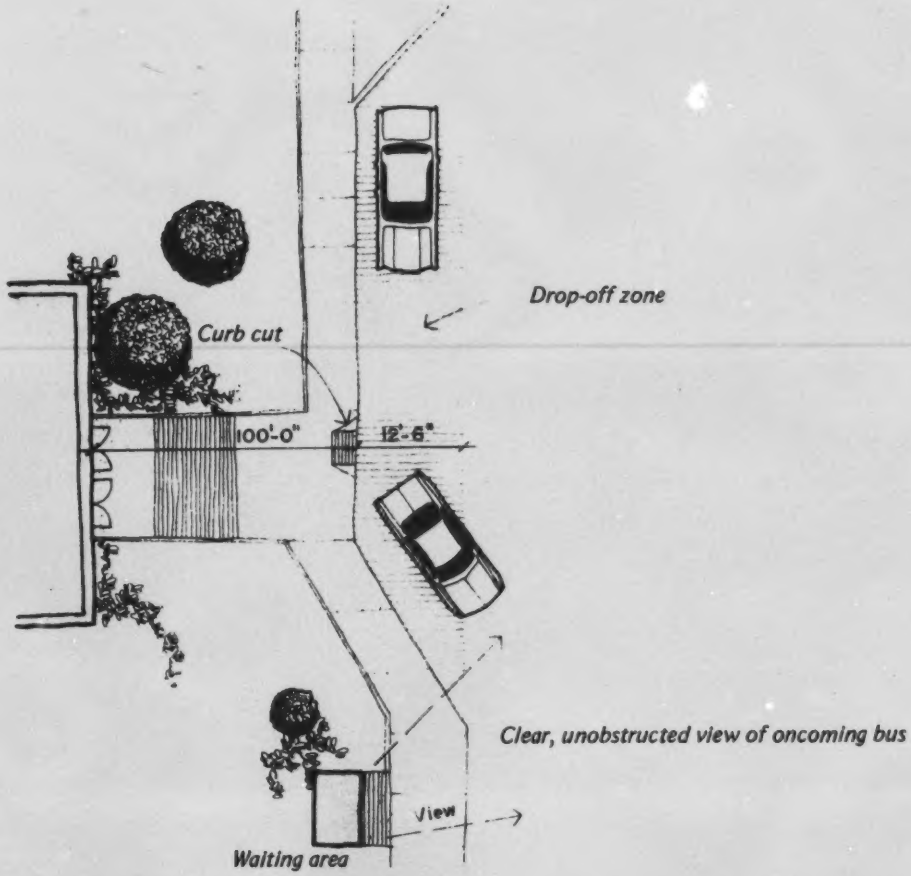
Ramp With Intermediate Switch-Back Platform



37

1. Is at least one primary entrance to each building usable by individuals in wheelchairs? (It is preferable that all or most entrances and exits should be accessible to, and usable by, individuals in wheelchairs or who have physical disability.)

2. Is at least one entrance usable by individuals in wheelchairs on a level that would make the elevators accessible?



38

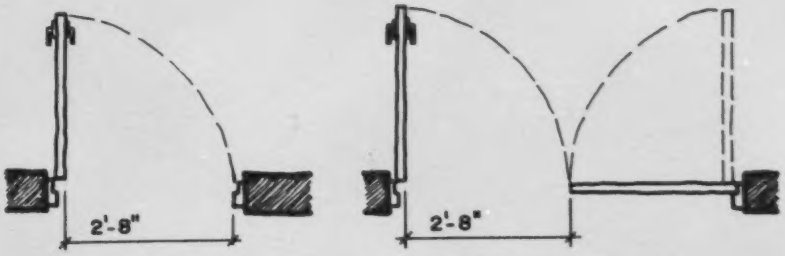
1. Do doors have a clear opening of no less than 32 inches when open?
   a. Are they operable by a single effort? (Note: Two-leaf doors are not usable by those with disabilities unless they operate by single effort, or unless one of the two leaves meets the 32-inch width.)

2. Are the doors operable with pressure or strength which could reasonably be expected from disabled persons?

3. Is the floor on the inside and outside of each doorway level for a distance of 5 feet from the door in the direction the door swings?
   a. Does it extend 1 foot beyond each side of the door?

4. Are sharp inclines and abrupt changes in level avoided at doorsills?

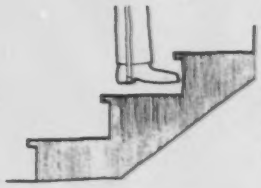
5. Do door closers allow the use of doors by physically disabled persons?



Clear opening must be between the door in its 90° open position and the face of the stop or, in the case of two leaf doors, the edge of the other door.

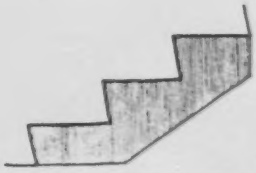
Two leaf doors must have one leaf which affords the required 32" clear opening.

1. Do steps avoid abrupt nosing?
2. Do stairs have handrails 32 inches high as measured from the tread at the face of the riser?
3. Do stairs have at least one handrail that extends at least 18 inches beyond the top and bottom step?
4. Do steps have risers 7 inches or less?



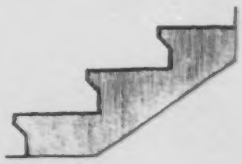
Unacceptable Stair

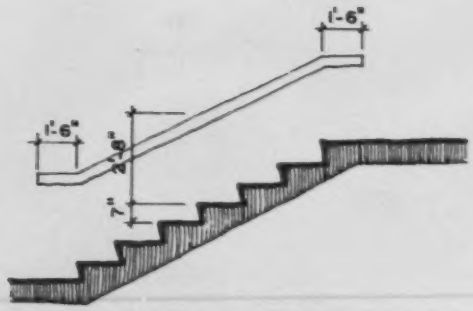
Persons wearing leg braces often trip because they cannot drop the toe to clear the stair nosing.

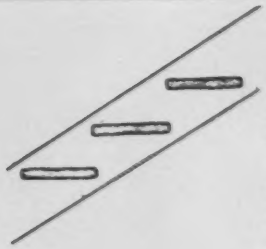


Acceptable Stair

With vertical or slanted risers.

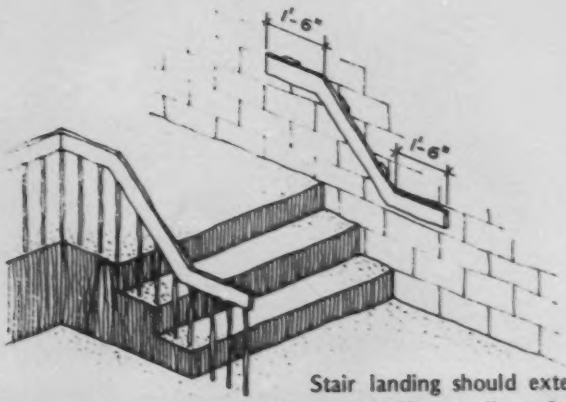






Open Riser Stair

For the reasons stated above open riser stairs are a hazard to persons wearing leg braces, however, where allowed by the building code, open riser stairs should not be prohibited in buildings which have, on the same floor, ramps, stairs, or elevators that comply with the code.



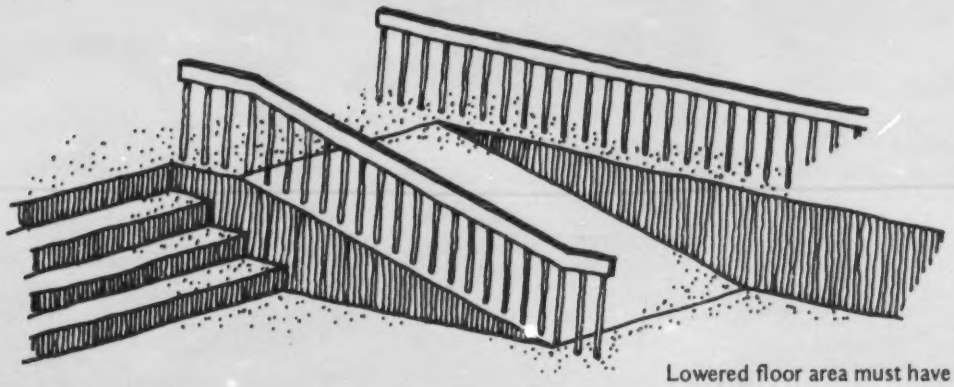
Stair landing should extend from floor area 1'-6" to allow for handrail extension before turning the corner.

Floors

40

1. Do floors have a nonslip surface?

2. Are floors on each story at a common level or connected by a ramp?



Lowered floor area must have ramp access.

Stages, balconies and bleachers are not required to meet this requirement (except in federally funded projects. See law 90-480.)

1. Is there an appropriate number of toilet rooms for each sex?
   a. Are they accessible to physically handicapped persons?
   b. Are they usable by physically handicapped persons?

2. Do toilet rooms have turning space 60 x 60 inches to allow traffic of individuals in wheelchairs?

3. Do toilet rooms have at least one toilet stall that:

   a. is three feet wide?
   b. is at least 4 feet, 8 inches (preferably 5 feet) deep?
   c. has a door that is 32 inches wide and swings out?
   d. has grab bars on each side, 33 inches high and parallel to the floor, 1½ inches in diameter, with 1½ inches clearance between rail and wall, fastened securely to the wall at the ends and center?
   e. has a width of at least 48 inches between the wall and the front of the stall entrance?
   f. has water closet with seat 20 inches from the floor?

4. Do toilet rooms have lavatories with narrow aprons, which when mounted at standard height are usable by individuals in wheelchairs?

5. Are drain pipes and hot water pipes covered or insulated?

6. Are some mirrors and shelves at a height as low as possible and no higher than 40 inches above the floor?

7. Do toilet rooms for men have wall-mounted urinals with the opening of the basin 19 inches from the floor, or have floor-mounted urinals that are level with the main floor of the toilet room?

8. Do toilet rooms have towel racks mounted no higher than 40 inches from the floor?
   a. Are towel dispensers mounted no higher than 40 inches from the floor?
   b. Are other dispensers mounted no higher than 40 inches from the floor?
   c. Are disposal units mounted no higher than 40 inches from the floor?

9. Are racks, dispensers and disposal units located to the side of the lavatory rather than directly above?

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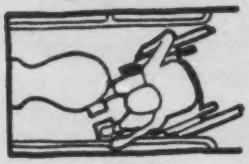
Technique For Transfer From Wheelchair To W.C. In Stalls

This method is difficult or impossible for many persons without extensive training.

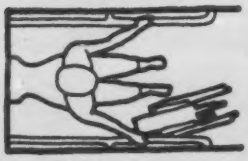


1 Enters stall, turns at an angle placing foot rests and feet to one side of the water closet.

2 Leans forward placing hands on rails near wall and pulls torso forward sliding onto seat in sideways position.

3 Switches right hand from right rail to left arriving in side seated position as in 4.

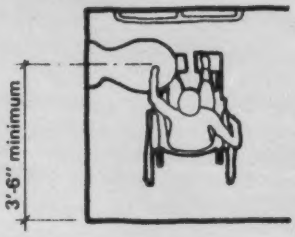
4 Maintains his balance with right hand while using left to fold chair or push it back.



5 With chair folded or pushed back, swings legs around to front, switching left hand to opposite rail.

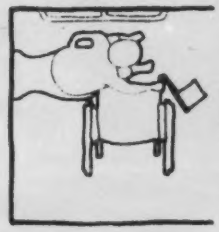
Side Approach Method

This method can be done by most handicapped people. Stalls allowing space for this method are preferred.



1 Approaches water closet from side.

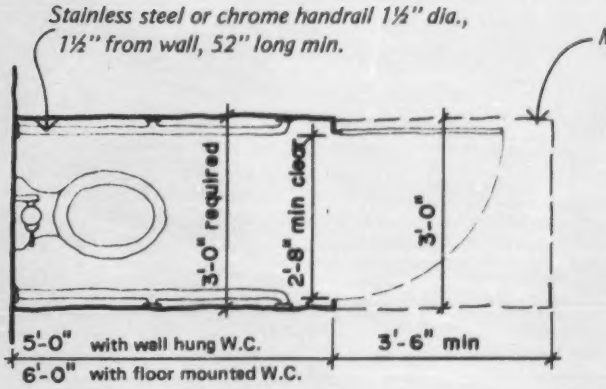
2 Removes arm rest and swings foot rest to side. Places one hand on W.C. seat or grab bar and other on chair.



3 With a lifting and sliding motion shifts torso onto W.C. seat.

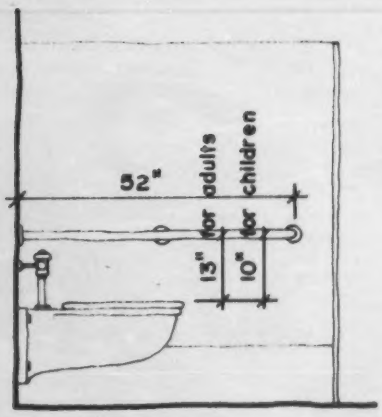
4 Maintains balance by using grab bar and wheelchair.

Toilet Stalls

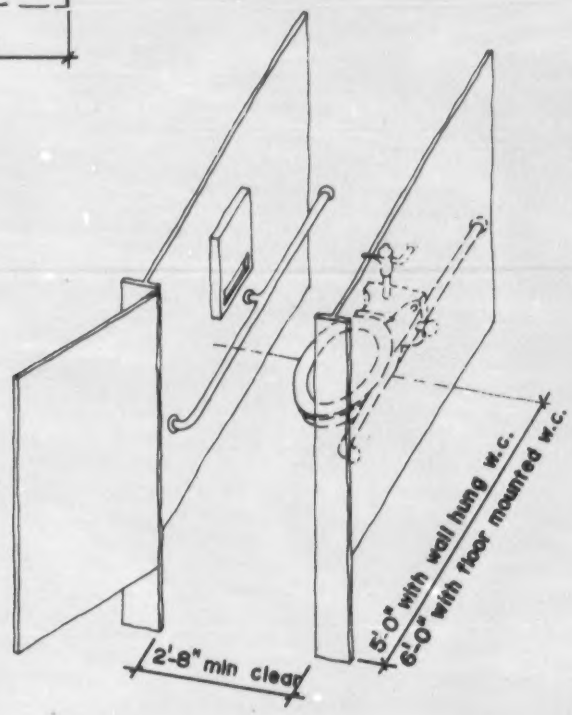


PLAN

Dispensers and accessories must be located within reach of seated person. All operating mechanisms should be no higher than 40" above floor. Dispensers should not protrude more than 2"-3".



ELEVATION: Required 6'-0" deep stall may be reduced to 5'-0" if wall hung water closet is used.

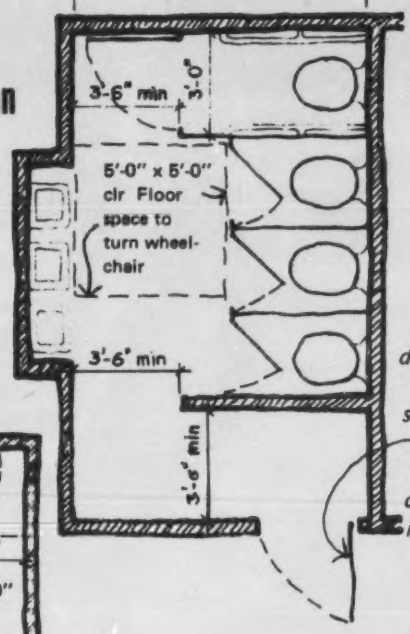


44

Due to additional length of handicapped toilet stalls it is suggested they be located at end of toilet rooms thus

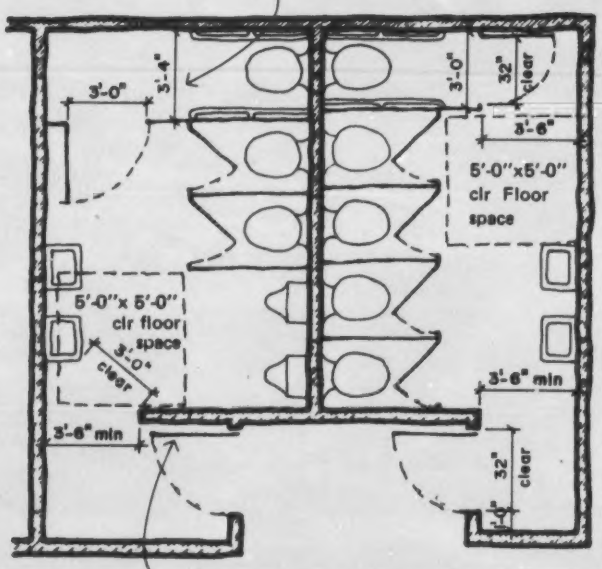
9'-6" with floor mounted W.C.
8'-6" with wall mounted W.C.

Toilet Plan



Toilet room door must swing out if privacy screen is used as shown unless space between door and screen is at least 5'-0".

Stalls may occupy end of room and be entered from the side if door is 3'-0" wide and stall is 3'-4" wide.

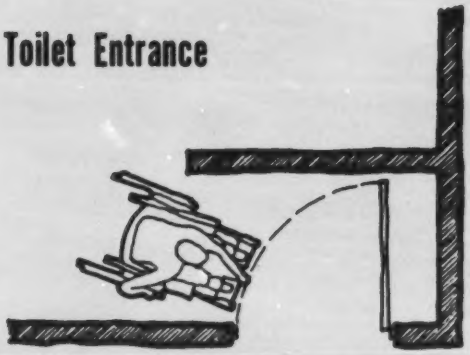


Open door must not overlap 3'-6" min. clear corridor width.

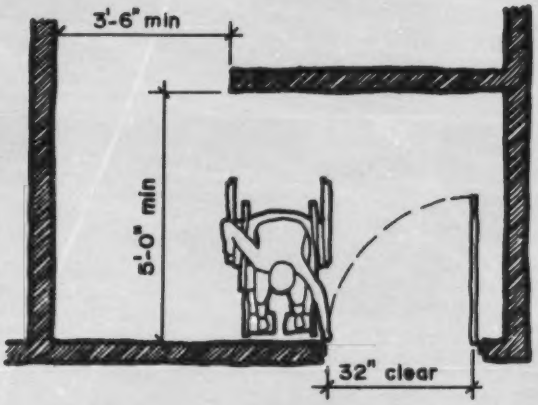
Alternate Toilet Plans

Suggested entry and privacy screen arrangement to prevent door swinging out into the corridor. Doors may swing in or out.

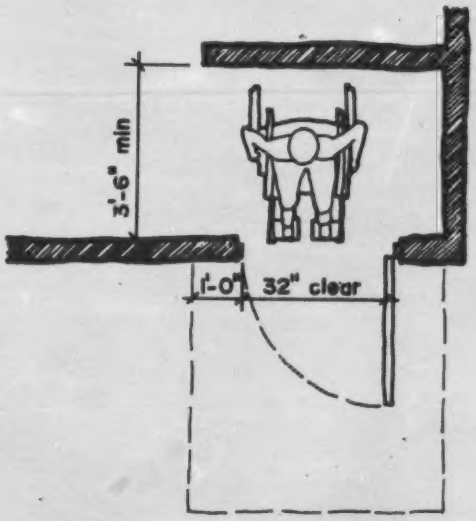
Toilet Entrance



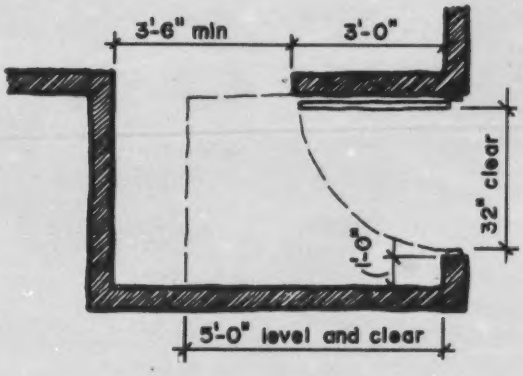
Problem: Inswinging toilet room door with privacy screen and insufficient space for chair to turn perpendicular to wall beside door requires long lateral reach and power to open door while moving forward and turning 90° to get through door.



Door may swing in, if 5'-0" level and clear floor space is available.



If space between door and screen wall is less than 5'-0", door must swing out. With outswinging door, space must be minimum 42".

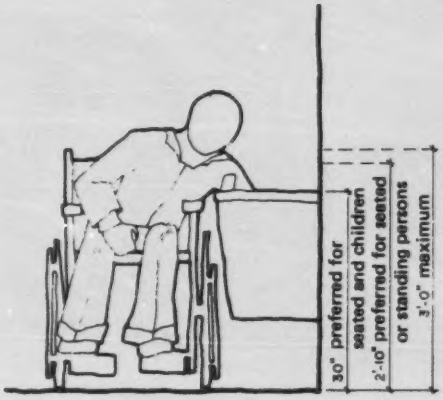


Smallest possible vestibule with inswinging door at privacy screen.

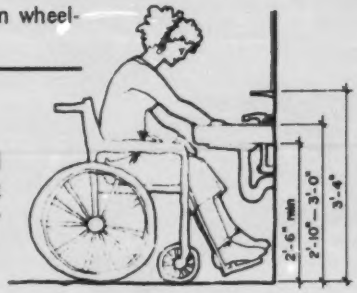
Water Fountains

46

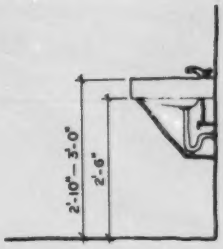
1. Is there an appropriate number of water fountains?
   a. Are they accessible to physically handicapped people?
   b. Are they usable by the handicapped?
2. Do water fountains or coolers have up-front spouts and controls?
3. Are they hand-operated?
4. If coolers are wall-mounted, are they hand-operated, with basins 36 inches or less from the floor?
5. If there are floor-mounted fountains, are spouts no higher than 30 inches?
6. Are the fountains accessible to people in wheelchairs?



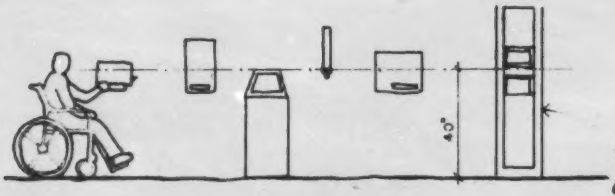
If hot water exceeds 120°, supply and drain lines must be insulated to prevent burning persons with no sensation in their legs.



Preformed rigid insultation with protective cover.



Alternate method of protection: Enclose plumbing in a protective housing. Care should be taken to provide adequate clearance for wheelchairs.



This type not acceptable unless separate towel dispenser is also installed at 40".

Objects which protrude more than 4" from the wall without continuing to the floor or to within 8" of the floor are a hazard to the blind. Towel dispensers and hand dryers should be located next to sinks as a convenience to the blind and to prevent floors from becoming wet and slippery.

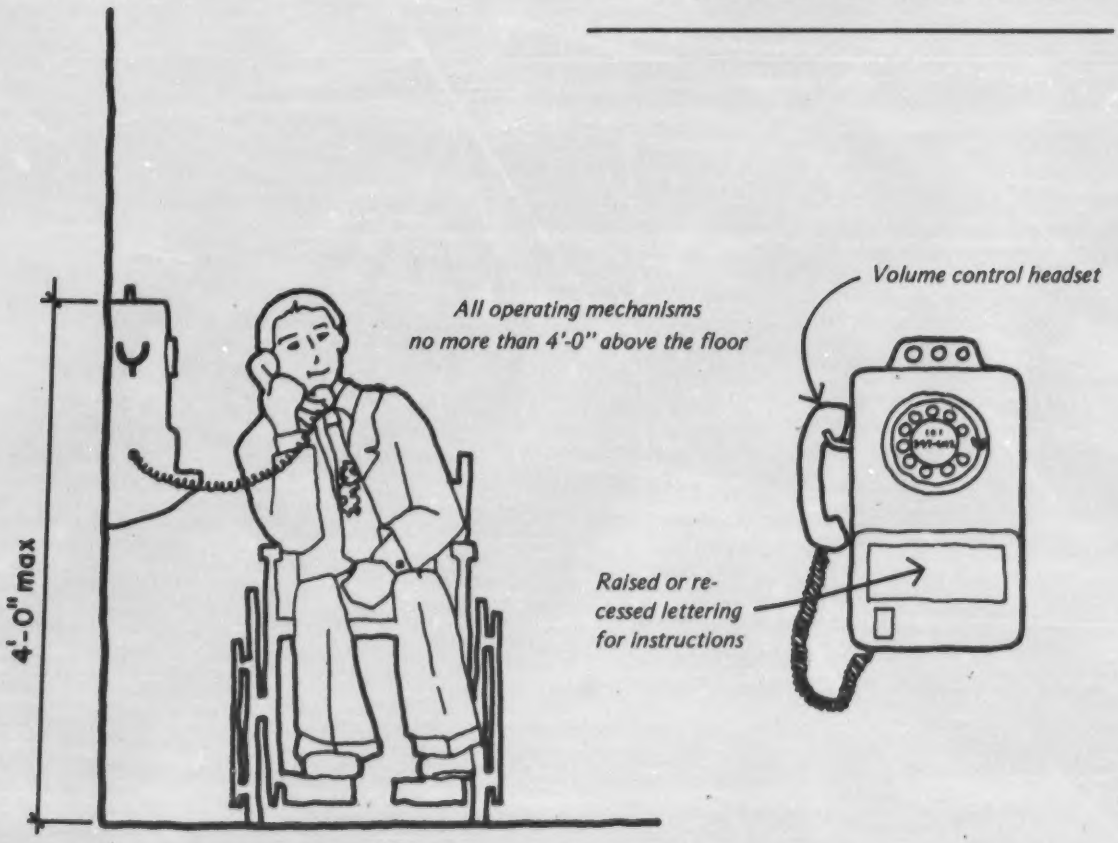
47

1. Is there an appropriate number of public telephones accessible to physically handicapped persons?

2. Is height of dial from floor 48 inches or less from the floor?

3. Is coin slot located 48 inches or less from the floor?

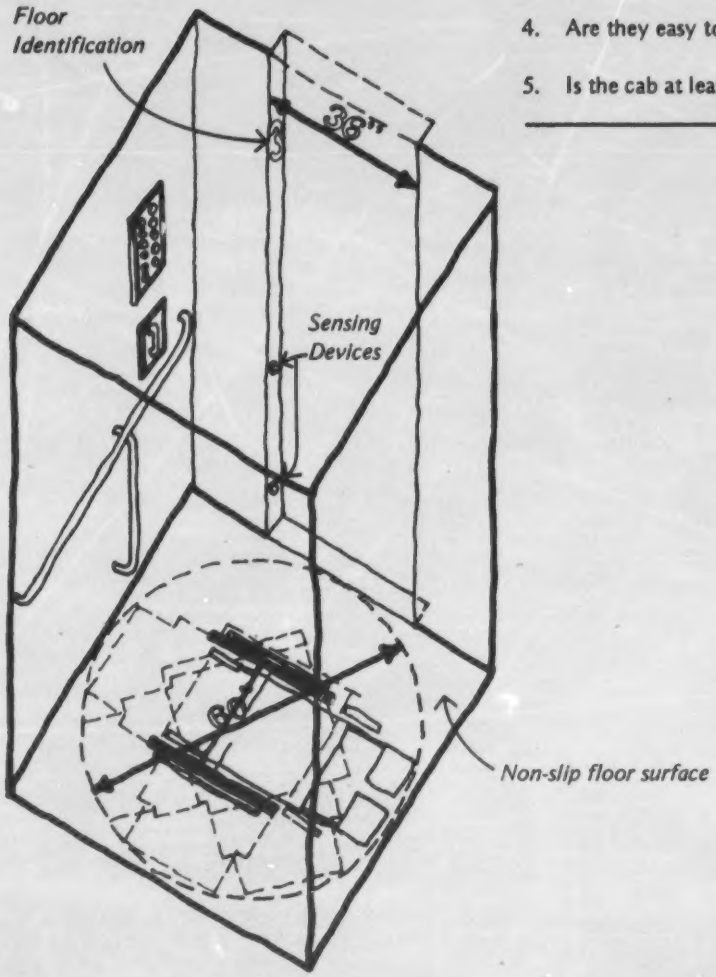
4. Are there telephones equipped for persons with hearing disabilities? Are they identified as such?



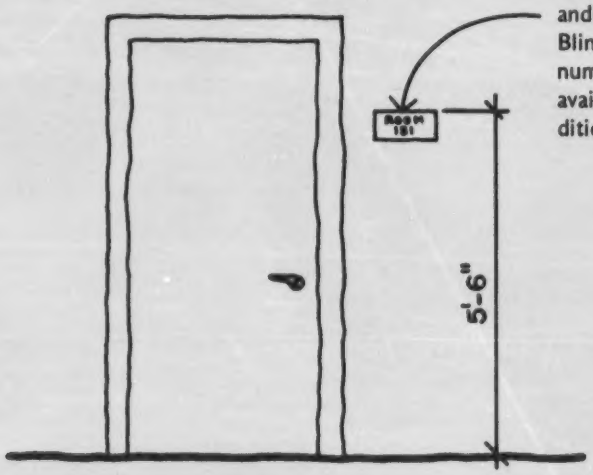
Accessible Elevator

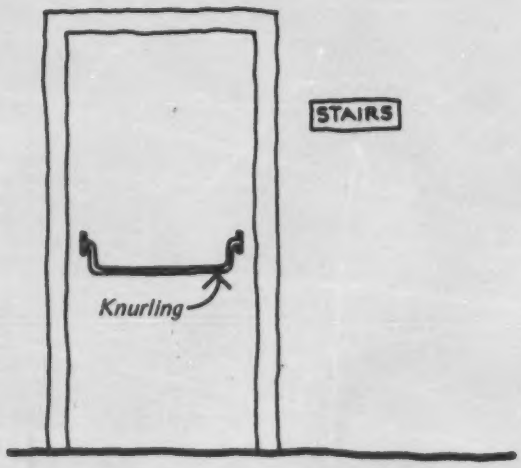
48

1. If more than a one-story building, are elevators available to the handicapped?
2. Are all of the controls 48 inches or less from the floor?
3. Are the buttons labeled with raised (or indented) letters beside them?
4. Are they easy to push or touch-sensitive?
5. Is the cab at least 5 x 5 feet?



Visual and tactile labels with raised or recessed letters and numerals, shall be used to identify room and offices. Blind persons can read tactile non-braille letters and numbers, however braille letters and numerals are available if desired. They should only be used in addition to visual and tactile letters.





1. Are raised (or recessed) letters or numbers used to identify rooms or offices?
2. Is identification placed on the wall, to the right or left of the door?
   a. Are they at a height between 4 feet, 6 inches and 5 feet, 6 inches, measured from the floor?
3. Are doors not intended for normal use which might prove dangerous if a blind person were to exit or enter them, made identifiable to the touch by knurling the door handle or knob?

50

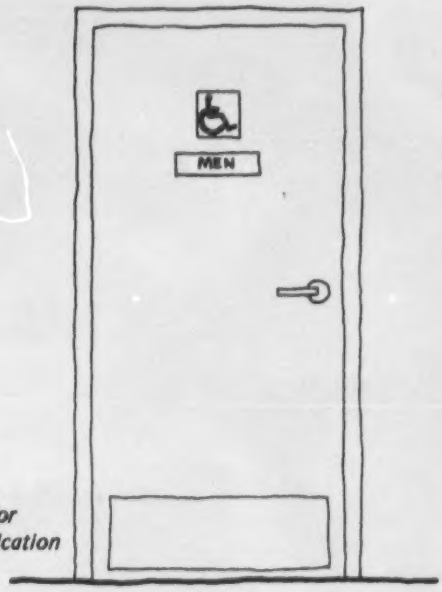
A

B

C

D

E



Signage for restroom identification

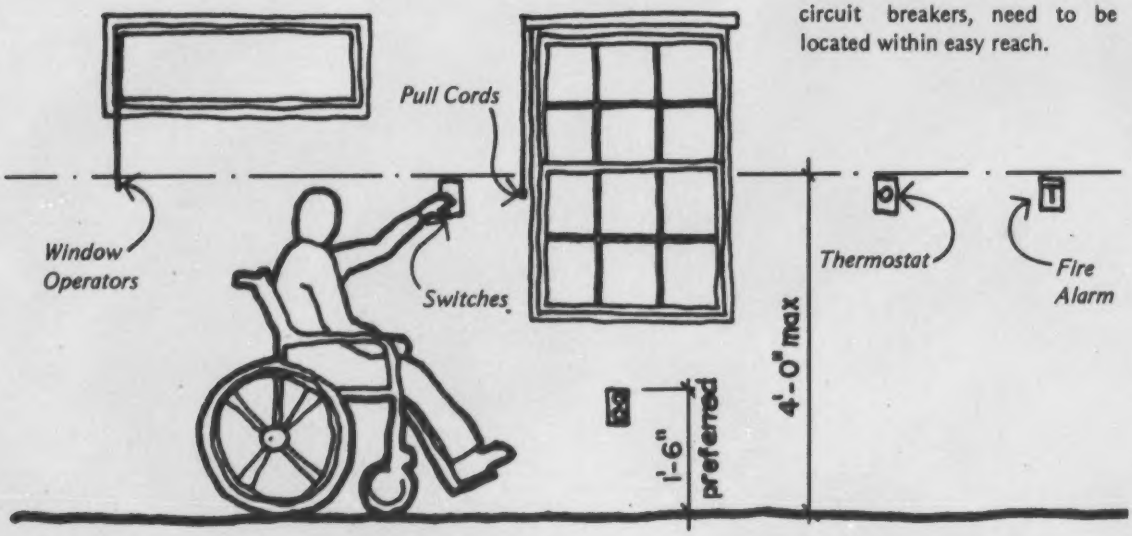
A INTERNATIONAL SYMBOL OF ACCESS
B RAMP FOR THE PHYSICALLY HANDICAPPED
C TELEPHONE FOR THE PHYSICALLY HANDICAPPED
D ELEVATOR FOR THE PHYSICALLY HANDICAPPED
E PARKING FACILITY FOR THE PHYSICALLY HANDICAPPED

Use sign	*Size and Description*	
A	4" x 4"	For use on bathroom stall doors.
ABCD	6" x 6"	For use with or without directional arrows to identify doors, rooms and or directional purposes
ABCE	9" x 9"	For use with or without arrow; Facility Identification.
ABCDE	12" x 12"	Exterior use identifing Parking Spaces, Paths of Travel to accessible facilities.
ABCDE	24" x 24"	Same as 12" x 12".

ALL SIGNS ARE TO BE WHITE GRAPHICS ON A BLACK BACKGROUND OR WHITE GRAPHICS ON A DARK BLUE BACKGROUND

1. Are switches and controls for light, heat, ventilation, windows, draperies, fire alarms and all similar controls of frequent or essential use within reach of individuals in wheelchairs?

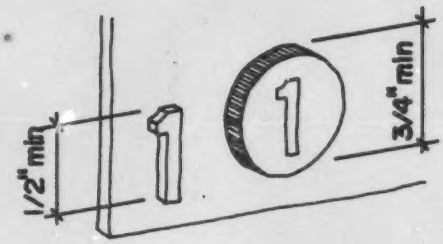
Over current devices, such as circuit breakers, need to be located within easy reach.

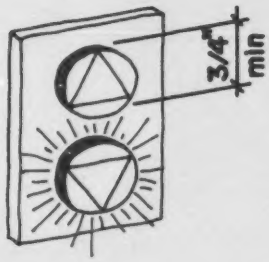


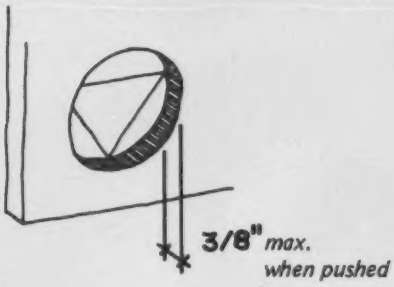
Warning Signals

52

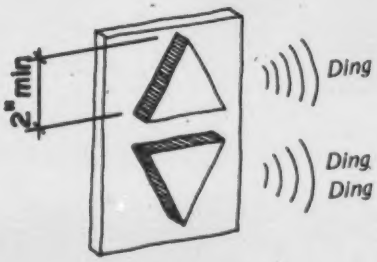
1. Are audible warning signals accompanied by simultaneous signals for the benefit of those with hearing or sight disabilities?







Audible signal need not operate all the time. A button may be installed so that audible signal may be activated only when desired by a passenger.



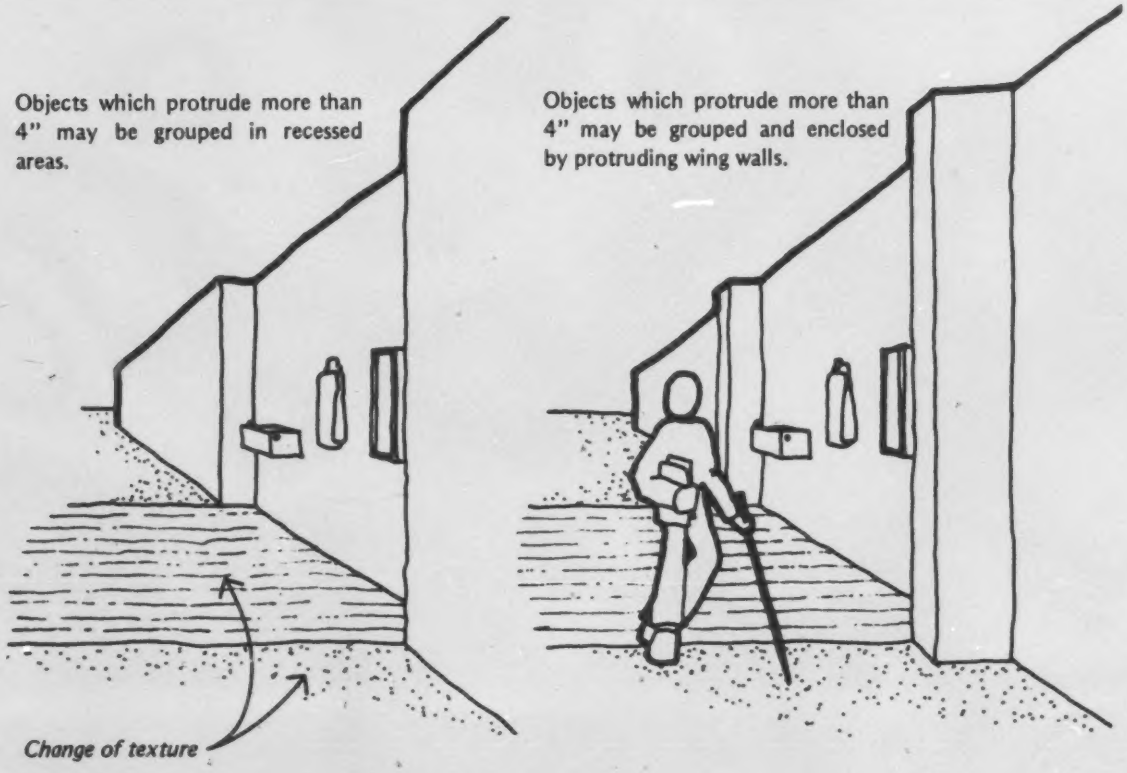
1. When manholes or access panels are open and in use, or when an open excavation exists on a site, when it is approximate to normal pedestrian traffic, are barriers placed on all open sides at least 8 feet from the hazard, and warning devices installed?

2. Are there no low-hanging door closers that remain within the opening of a doorway, or that protrude hazardously into regular corridors or traffic ways?

3. Are there no low-hanging signs, ceiling lights, fixtures or similar objects that protrude into regular corridors or traffic ways? (A minimum height of 7 feet measured from floor is recommended.)

4. Is lighting on ramps adequate?

5. Are exit signs easily identifiable to all disabled persons?

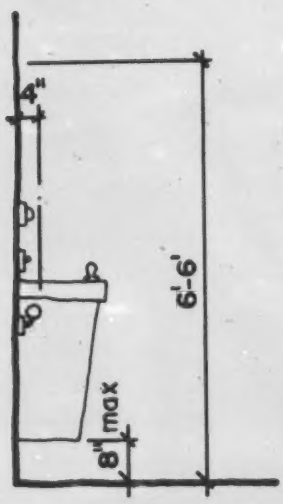


Objects which continue to 8" above floor or less will be detected by canes.

Overhanging protruding objects will not be detected by the long cane technique.

Many people, especially those with sight impairments or those who are blind, and children may be injured by bumping into objects which protrude from walls.

Blind or sight impaired people who use a long cane technique for guidance can detect protruding objects if the objects stand on the floor or are no higher than 8" above the floor.

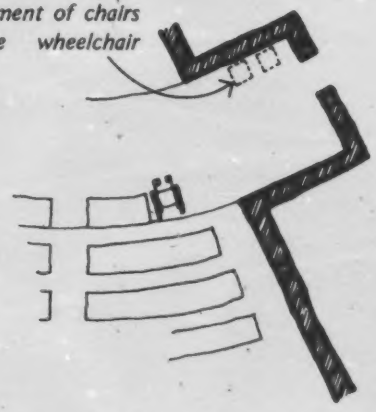


Wall mounted objects below 6'-6" must not project more than 4" unless they continue to the floor or to within 8" of the floor.

Most door knobs, handles, thermostats, switches, and handrails will fit within the allowable 4".

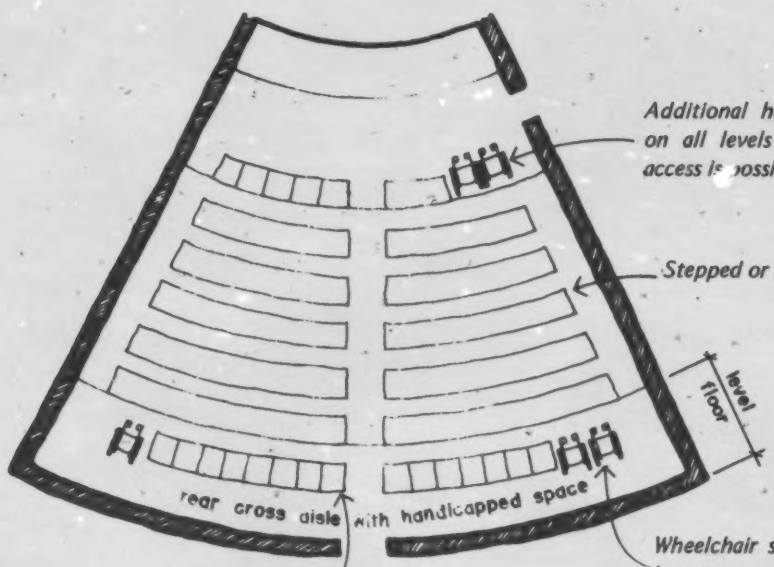
Example Plan: Small Theatre

Storage space with pedestal mounts for temporary placement of chairs to provide wheelchair space



Where loss of revenue is a particular concern for wheelchair spaces that go unused, chairs can be pedestal mounted with quick connect latches to be removable. If handicapped spaces have not been sold on performance dates, chairs can be set in place.

It is preferred that wheelchair access and seating space be provided in both balcony and box seat areas.



Additional handicapped seating on all levels where wheelchair access is possible

Stepped or sloping aisles

Wheelchair spaces at offset seating can accommodate more than one chair. Entire rear cross aisle could serve as wheelchair seating space.

This row can be set back to allow space for persons with leg braces.

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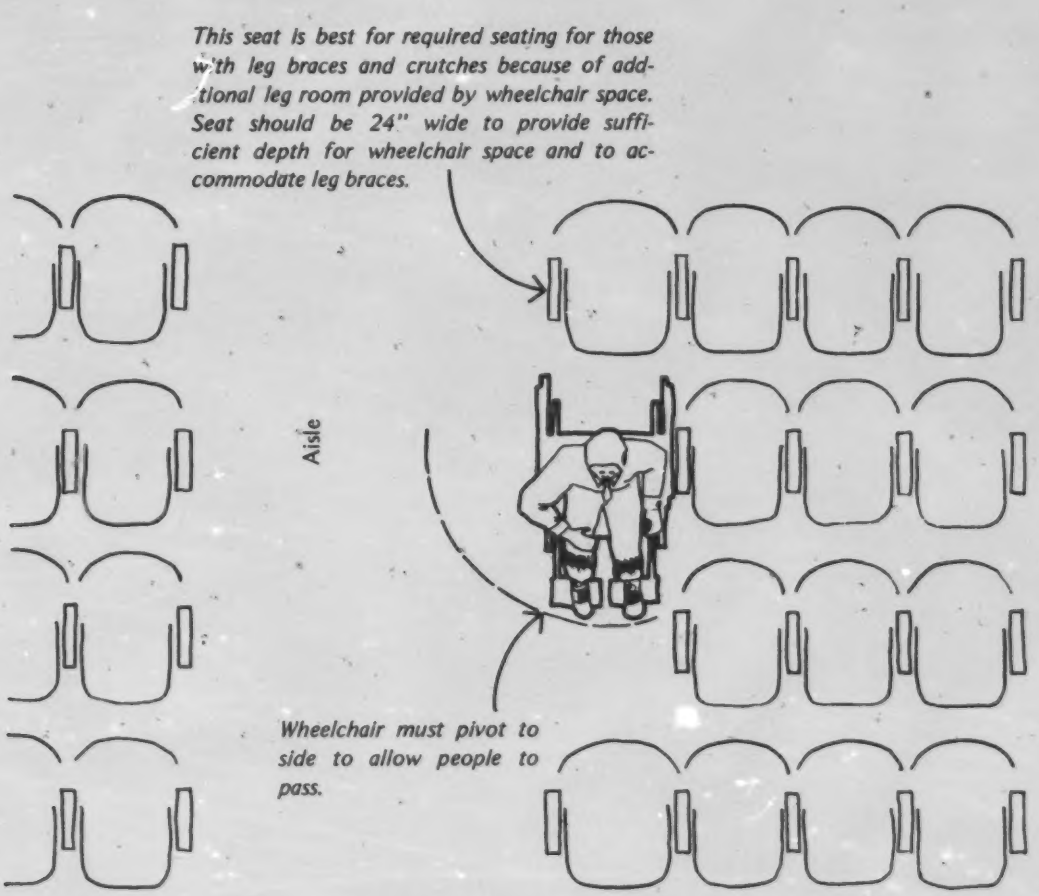
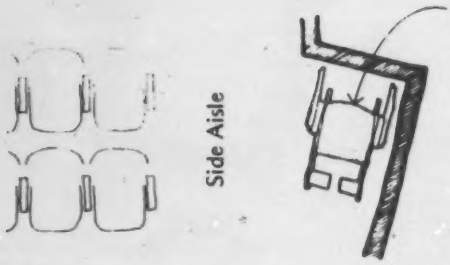
Wheelchair Seating Space At Aisles



NOTE: Sight lines may be interrupted by wheelchair person because wheelchair seat is higher than fixed seats. This may be overcome by diagonal or other chair arrangement.

Special Wheelchair Box At Side Aisle



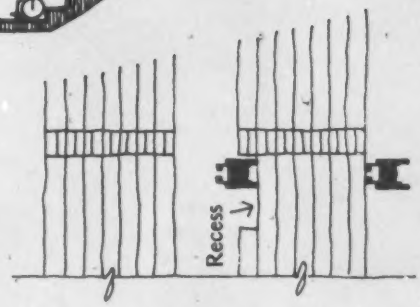
Level floor may be used by non-handicapped with portable seating when not required for wheelchair use.

Wheelchair Seating At Stepped Risers

(BENCH TYPE STADIUM SEATING)

Wheelchair spaces in assembly areas having stepped riser seating can best be located in cross aisles at front, rear, or center of seating, provided sufficient space is allowed in cross aisles so wheelchairs do not infringe on required aisle width.

Spaces should be located on all possible levels to give handicapped some choice of location.



Sloping Floors In Assembly Seating

Steeply sloping floors in assembly seating areas offset center of gravity for wheelchairs causing discomfort during long performances. For this reason it is preferred that the wheelchair spaces be located where floor can remain level as at cross aisles, front and rear of theatre, or in boxes to the side.

58

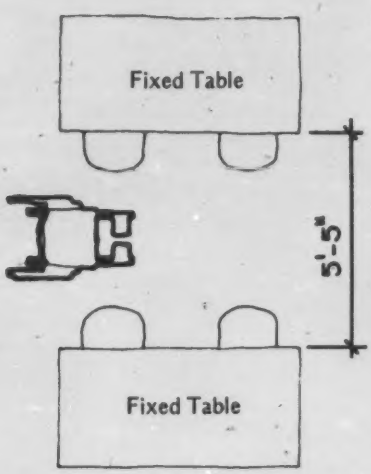


Table Spacing

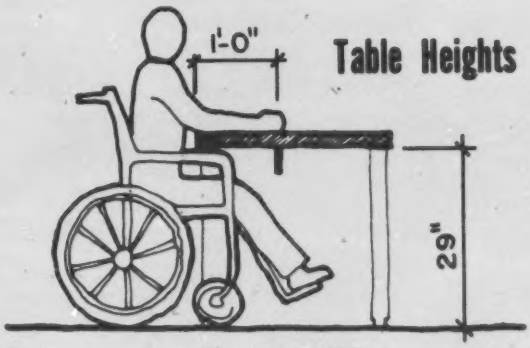
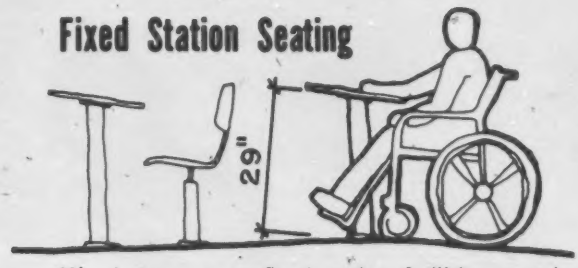


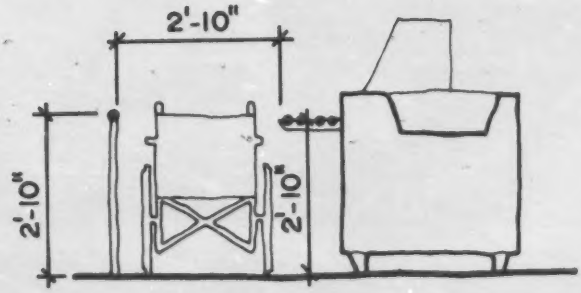
Table Heights

Clearance under tables must be 29" clear to bottom of table top. Aprons if used must be recessed 1'-0" under table.

Fixed Station Seating

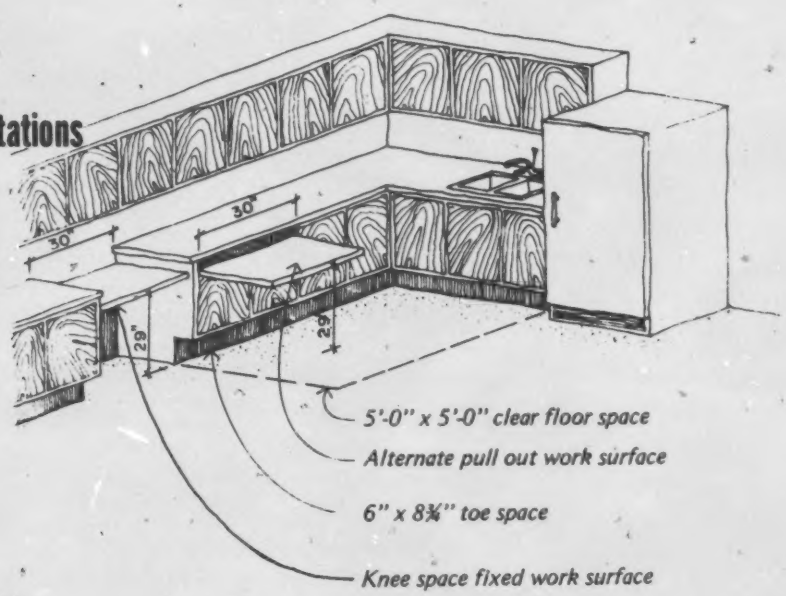


2% of the seats at fixed station facilities must be omitted or portable to provide spaces for wheelchair use.

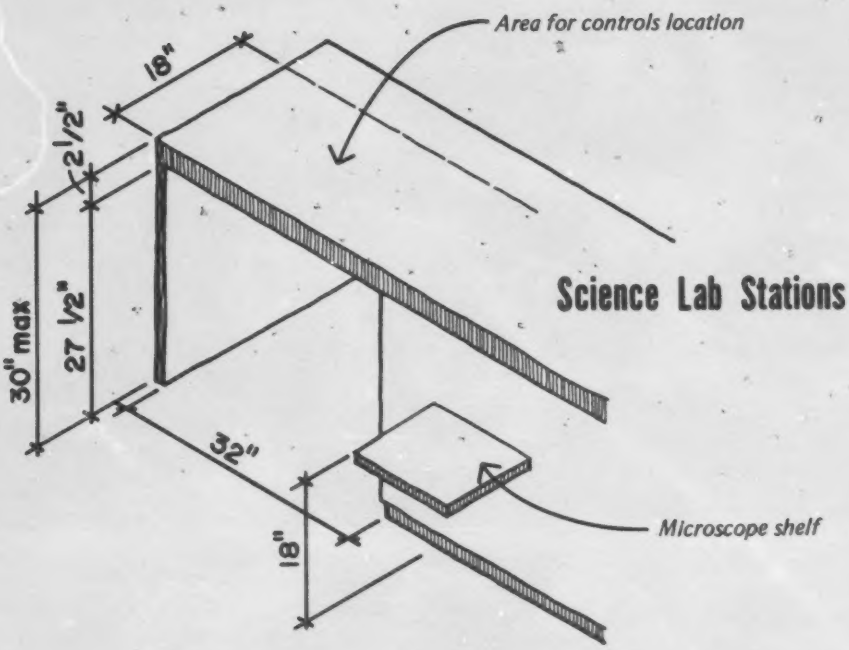


Food Service Rails

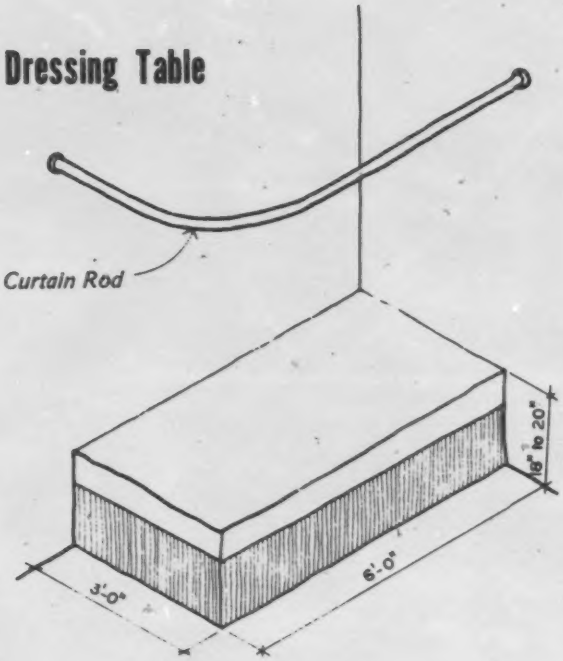
Home Economics Stations



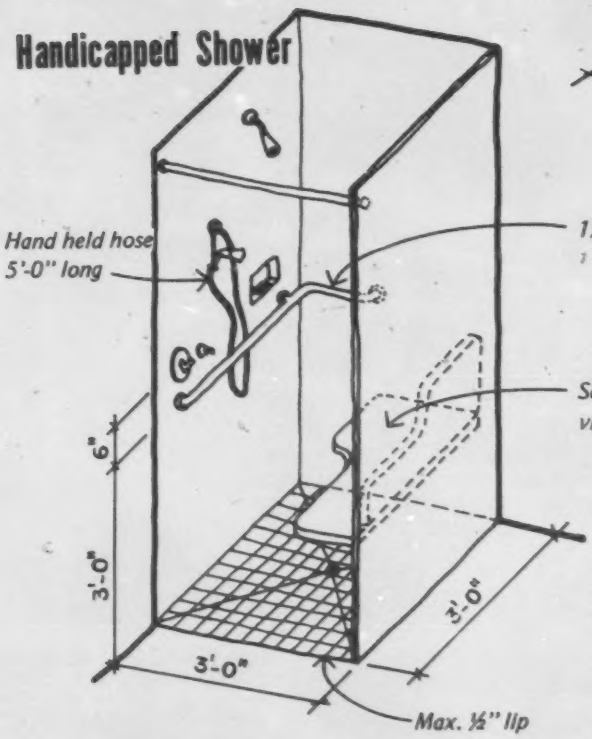
Science Lab Stations



Dressing Table



Handicapped Shower



Some persons can only make transfer from one side so it is recommended that where more than one shower is required, one be right handed and one be left handed.

The seat must be located on the wall opposite the water control and shower head.

Suggested Form For Transition Plan*

Local Education Agency (LEA)	District Number	County

Number of Buildings _____ Number of Accessible Buildings _____

(The following report concerns only those buildings which are inaccessible and also have in them programs or services which CANNOT be moved to accessible buildings.)

I. Identify programs or services which are NOT accessible. For each inaccessible program or service, identify the building in which it is housed, and its location in the building.

II. Identify those architectural barriers of inaccessible buildings which need modification for accessibility to handicapped students, and indicate the date by which such modifications for accessibility will be completed.

*NOTE: This plan is to be kept on file. It is not required to be submitted to any agency or office.

Chapter 4

Educational Programs And Services

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I. Identification of Handicapped Persons
II. Free Appropriate Education
III. Educational Setting
IV. Evaluation and Placement
V. Procedural Safeguards
VI. Nonacademic Services
VII. Preschool and Adult Education Programs
VIII. Private Education Programs
IX. Other Contracted Programs and Services

You will notice that the requirements of P.L. 94-142, Education for All Handicapped Children Act, and the Regulations for Section 504 are similar in many respects.

In the following checklist for Educational Programs and Services we have provided Informational Notes to indicate various sources where information that is useful in Section 504 compliance may be obtained. These sources include the District Plan for Special Education, Policies and Procedures Manual for Special Education in Oklahoma, and the Oklahoma State Plan for Special Education.

Section 504 Regulations Citations 84.31-84.39

PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION (Regulations Citation 84.31)

Compliance		Comments
Yes	No	

I. IDENTIFICATION OF HANDICAPPED PERSONS (Regulations Citation 84.32)

Public schools must annually identify and locate qualified handicapped persons in their jurisdiction and take appropriate steps to notify handicapped persons or their parents of the schools' duty in regard to identification questions:

Does the district have procedures for location, identification, referral and evaluation of handicapped children who are not in school or who do not have access to a special education program?

	Compliance		Comments
	Yes	No	
Guidelines: This section refers to techniques such as Child Find. Each district should have a policy to cover location, identification, and referral of handicapped students. **Informational Notes:** This information is available in the District Plan for Special Education as required by P.L. 94-142.			
II. FREE APPROPRIATE EDUCATION (Regulations Citation 84.33) A. A free and appropriate education to each qualified handicapped person who is in the district's jurisdiction must be provided regardless of nature or severity of the handicap.			
B. Appropriate Education 1. Do you meet the individual education needs of handicapped persons as adequately as the non-handicapped persons? 2. Have you developed an Individualized Education Program (IEP) for each student placed in a special education program? **Guidelines:** This question refers to carrying out the programs and services specified in the IEP. Are you doing what you told the parents you were going to do? 3. If your district does not provide an appropriate program for handicapped individuals, do you meet the requirements of Section 504 by placing or referring such individuals in another program that meets these requirements? **Guidelines:** This question refers to placement of students in private or other public school programs, using requirements of Section 504 rather than P.L. 94-142 as basis.			

	Compliance		Comments
	Yes	No	
C. Free Education Do you provide an education to handicapped individuals without cost to them, except for those fees that are imposed on non-handicapped persons? 1. If you do not provide the requisite services in your district: (a) Do you pay tuition or transfer handicapped students to another public school? (b) Do you pay tuition to an accredited private school? (c) Do you pay transportation costs? (d) Do you pay for all psychological services? (e) Do you pay for all costs excluding medical treatment? (f) Do you pay for residential care if necessary? **Guidelines:** This section refers to the requirements of both Section 504 and P.L. 94-142 for a Free Appropriate Public Education (FAPE). This is a good inventory to determine a district's planning and compliance.			
2. Do you have a mechanism for implementing Due Process procedures to solve disagreement between parents and local districts? (a) Have specific written plans been made for such procedures? **Informational Notes:** This refers to the Due Process Procedures Manual - A Guide for Parents and School Administrators - available through the Special Education Section.			
III. EDUCATIONAL SETTING. **A. Academic Setting** (Regulations Citation 84.34) 1. Do you educate all qualified handicapped			

	Compliance		Comments
	Yes	No	
children to the maximum extent appropriate to the needs of the individual child in the program with non-handicapped persons? **Guidelines:** This question refers to the requirement of Section 504 and P.L. 94-142 for least restrictive placement, treating handicapped students as much like non-handicapped students as possible. **Informational Notes:** This information is available in the form of procedures in the District Plan for Special Education as required by P.L. 94-142.			
2. If you place handicapped individuals in the regular setting, do you provide supplementary aids and services appropriate according to the individual's needs? **Informational Notes:** The IEP will specify aids and services to be provided to handicapped individuals placed in regular classroom settings.			
3. If you must place a handicapped person in an alternate setting, do you take into account the proximity of the setting to the individual's home? **Guidelines:** This question refers to a requirement for the IEP to indicate why a student is not attending his "home" school. In the case of a person handicapped according to the Section 504 regulations, but one who does not qualify for special education, it is recommended that you document, in writing, your justification for the handicapped individual's attendance in an alternate setting.			

	Compliance		Comments
	Yes	No	
B. When you provide nonacademic and extracurricular services and activities for handicapped persons, do you insure that handicapped persons participate with non-handicapped persons in such activities to the needs of the handicapped person? **Guidelines:** This question refers to a requirement in both Section 504 and P.L. 94-142 that handicapped individuals cannot be discriminated against by not providing equivalent programs.			
C. If you operate a facility that is identifiable as being for handicapped as well as non-handicapped persons, do you insure that the facility and its services and activities are comparable to other facilities? **Guidelines:** Regardless of whether the facility is for handicapped students only, or includes some non-handicapped students, Section 504 and P.L. 94-142 require that facilities for the handicapped be comparable to facilities for non-handicapped. **Informational Notes:** This information is available in the form of an assurance in the District Plan for Special Education as required by P.L. 94-142.			
IV. EVALUATION AND PLACEMENT (Regulations Citation 84.35) A. **Preplacement Evaluation:** Have the parents or guardian given signed permission for an evaluation? Has an evaluation been conducted before any action is taken with respect to the initial placement or subsequent change in placement of a handicapped student? (P.L. 94-142, Regulations Section 121a.531)			
B. **General Statement:** A recipient shall establish standards and procedures for evaluation			

	Compliance		Comments
	Yes	No	
and placement of qualified handicapped persons. **Informational Notes:** The Policies and Procedures Manual specifies procedures and provides state approved forms under Procedural Safeguards and Confidentiality that school districts must use to comply with the requirements. This information is also available in the District Plan for Special Education as required by P.L. 94-142.			
1. Have tests and other evaluation materials been validated for the specific purpose for which they are used, and are they administered by trained personnel in conformance with instructions provided by their producer? **Guidelines:** In practice, it may be assumed that any of the "standard" tests of mental capacities are valid for that purpose, tests such as the WISC, Stanford-Binet, etc. These have been validated by the authors and publishers.			
2. Are tests and other evaluation materials tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient? **Guidelines:** This question refers to IQ testing and P.L. 94-142 evaluation requirements. Some IQ tests give only single, general measure. Others are more specific, such as the WISC which gives verbal, performance, and full-scale measurements.			
3. In test selection and administration, if a test is administered to a child with impaired sensory, manual, or speaking			

	Compliance		Comments
	Yes	No	
skills, do the test results accurately reflect the child's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors which the test purports to measure)? **Guidelines:** This question refers to P.L 94-142 and state requirements for evaluation instruments. There are not very many tests available for children with some kinds of sensory impairments. Thus, it becomes the responsibility of the psychologists or other specialists to rely on training and experience to select tests.			
C. Placement Procedures 1. Do you, in making placement decisions, have data including: (a) Aptitude and achievement tests? (b) Teacher recommendations? (c) Physical condition? (d) Social or cultural background? (e) Adaptive behavior? **Guidelines:** These questions refer to evaluation/placement procedures required by P.L. 94-142 and state laws. This data will provide a good inventory of your process. **Informational Notes:** This information is available in the District Plan for Special Education as required by P.L. 94-142.			
2. Do you establish procedures to insure that information obtained from all sources is documented and carefully considered?			
3. Do you insure that the placement decision is made by a group of persons, including persons knowledgeable about the child?			

	Compliance		Comments
	Yes	No	
D. Reevaluation 1. Is each handicapped child's Individualized Education Program (IEP) reviewed periodically, but not less than annually?			
2. Is there an evaluation conducted periodically, as frequently as needed, if conditions warrant or if the child's parent or teacher requests an evaluation? Guidelines: (a) Review of IEP - Each IEP is intended to be reviewed/revised at least annually. (b) Evaluation - All handicapped children must be evaluated at least every three years. This may be done more often if needed. Need will be determined on the individual child's progress or lack of progress. Parental written permission is required for each evaluation. Children who are handicapped according to the Section 504 Regulations but who do not qualify for special education should have individual assessment of their program, which should be reviewed periodically, but not less than annually.			
V. PROCEDURAL SAFEGUARDS (Regulations Citation 84.36) A. Do you provide a system of Due Process evaluation and placement of handicapped persons? 1. Notice? (In a form comprehensible by the parent or guardian.)			
2. Opportunity to review the records?			
3. Opportunity to request an impartial hearing?			

	Compliance		Comments
	Yes	No	
4. Opportunity to have parent or guardian present at hearing?			
5. Opportunity to have counsel at hearing?			
6. Opportunity to present rebuttal evidence?			
7. Opportunity to review procedure? **Guidelines:** The procedural safeguards required under P.L. 94-142 and Section 504 are the same.			
VI. NONACADEMIC SERVICES (Regulations Citation 84.37)			
A. **General:** Is the LEA providing nonacademic and extracurricular services and activities in a manner necessary to afford handicapped individuals an equal opportunity for participation in such services and activities? **Guidelines:** Examples set forth in this regulation include counseling services, vocational education, physical recreation, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the recipient, referrals to agencies which provide assistance to handicapped persons, and employment of students, including both employment by the recipient and assistance in making available outside employment.			
B. **Counseling Services** Do you provide counseling which does not restrict qualified handicapped persons in their consideration of career objectives. Guidelines: The concern is that career educators and counselors might make traditional career recommendations for some			

	Compliance		Comments
	Yes	No	
handicapped students when the students could be successful in a less traditional career. This should be considered in both elementary and secondary career programs.			
C. Physical Education (if applicable) 1. Is physical education made available to every handicapped child receiving a free appropriate public education? **Informational Notes:** The IEP will have physical education time and days per week written into the program.			
2. (a) Is each handicapped child afforded an opportunity to participate in the regular physical education program available to non-handicapped children unless the child is enrolled full-time in a separate facility or the child needs specially designed physical education, as prescribed in the child's IEP. (b) If specially designed physical education is prescribed in the child's IEP, has the LEA provided the services directly or made arrangements for it to be provided through other public or private programs? **Guidelines:** List those children receiving special or adaptive physical education programs.			
3. Has the LEA, responsible for the education of a handicapped child, taken steps to insure that the services provided to the child who is enrolled in a separate facility or who requires specially designed physical education conform to his IEP? **Guidelines:** List personnel and schedule providing physical education to children in separate facilities or list children who require specially designed physical education programs. List goals for each child and			

	Compliance		Comments
	Yes	No	
provide a regular progress report twice a semester.			
4. Do you insure that no qualified handicapped person is denied the opportunity to compete for teams or to participate in courses that are not separate or different? **Guidelines:** This section refers to provisions of nonacademic courses meeting the individual needs of handicapped students despite their handicap. It was deemed important enough by ED to treat physical education separately from other nonacademic courses.			
VII. PRESCHOOL AND ADULT EDUCATION PROGRAMS (Regulations Citation 84.38) A recipient who operates a preschool education or day care program or activity or an adult education program or activity may not, on the basis of handicap, exclude qualified handicapped persons from the program or activity. The recipient shall take into account the needs of such persons in determining the aid, benefits, or services to be provided under the program or activity. A. Do you insure that each qualified handicapped person is provided an opportunity to participate in such programs as physical education, drama, band, etc?			
B. If you do have preschool education or day care programs and adult education programs and activities, do you insure that equal opportunity is provided for handicapped persons to participate?			

	Compliance		Comments
	Yes	No	
C. If yes, are these programs in compliance with regulations governing equal access to handicapped persons?			
VIII. PRIVATE EDUCATION PROGRAMS (Regulations Citation 84.39) If you contract with an accredited private elementary or secondary educational institution, do you ascertain that they are in compliance with Section 504? **Guidelines:** It will be necessary to document the fact that they are in compliance.			
IX. OTHER CONTRACTED PROGRAMS AND SERVICES If you contract with other agencies or organizations providing educational services, do you ascertain that they are in compliance with Section 504?			

Chapter 5

Requirements For Self-Evaluation

I. Documenting Self-Evaluation
II. The Transition Plan
III. Guide for the Self-Evaluation Study

I. DOCUMENTING SELF-EVALUATION

The suggested form for the Self-Evaluation Study covers all the subjects which are covered more extensively in the Section 504 Self-Evaluation Guide which you received earlier from the Office for Civil Rights.

Reviewing the form will give you a comprehensive view of what is required. You may want to go over the detailed questions which are asked in the Guide from the Office for Civil Rights, and include additional materials which will answer their questions. Or you may wish to use only the suggested form for the Self-Evaluation Study given here as a model for what you will need to document. There is a saying in federal government circles which you may want to remember when deciding whether or not to include certain details: "If there isn't a record of it on paper, it didn't happen."

For your information, we have included in this chapter a copy of the actual list of information required by the Office for Civil Rights from an Oklahoma LEA which had a complaint of "discrimination against handicapped persons" filed against it.

II. THE TRANSITION PLAN

The Transition Plan described in Chapter 2 should be made a part of the Self-Evaluation Plan, and therefore we include it in this chapter. It is the complete plan for any architectural modifications to make facilities accessible to handicapped persons.

The following steps are essential to development of a sound Transition Plan:

Step-by-Step Procedure
For Developing A Transition Plan

1. Appoint a Transition Plan Committee, which includes handicapped persons, to oversee the development of the Transition Plan.
2. Use the Physical Accessibility Checklist and the Illustrations in Chapter 3 to conduct the survey and record the results.
3. Determine which programs or services cannot be moved to accessible buildings, and decide what architectural modifications will be necessary for accessibility.
4. Determine priorities among the modifications necessary, and estimate costs.
5. Revise priorities in relation to cost, where necessary.
6. Put the modifications into a schedule for completion by June 2, 1980.
7. Use the suggested form for Transition Plan in Chapter 3, to record the decisions.
8. Record all activities, such as survey dates, meetings held, and construction dates, that are associated with implementation of the Transition Plan.
9. Keep copies of all records related to the Transition Plan, in the Self-Evaluation file in the office of the LEA.

III. GUIDE FOR THE SELF-EVALUATION STUDY

The following form for the Self-Evaluation Study can be used as a guide for developing the Self-Evaluation Study which you are required to have on file. (DO NOT send this to any federal or state office; you MUST have your Self-Evaluation Study on file in your office when you are checked for compliance. It must also be open to the public for examination upon request.)

Study this form to determine what kinds of records you must have and must keep in relation to accessibility for handicapped persons. Keep copies of all of these records in a special Self-Evaluation Study file.

Use the Self-Evaluation Study Form as an outline for what you need to have in your file, and collect or develop the documents required.

Data Request

This is typical of a request for information to an LEA from the Office for Civil Rights. If a complaint of discrimination on the basis of handicap is filed against your district, you must supply the following information to the Civil Rights Team which will visit you. This is a copy of the request sent to an Oklahoma LEA – only the names have been deleted.

1. A list of all Federal Funds by amount and source.
2. Copy of the District's Section 504 self-evaluation and Assurances of Compliance forms. (NOTE: This is HEW Form 641, the one form you should have sent to ED.)
3. Copy of the District's Section 504 grievance procedure used to inform students and beneficiaries about the duties of the Coordinator and the procedure for filing a grievance.
4. Copy of the District's Section 504 notice procedure/policies and copies of such notices, and a copy of the District's transitional plan.
5. Copy of the District's Section 504 notification policies and procedures in effect during the three preceding school years and copies of such notification materials.
6. Copies of documentation to indicate that (the parent(s) or guardian of the handicapped child) received copies of the District's Section 504 notification and notice information. Include the dates and procedures used to provide this information.
7. A copy of the District's Section 504 evaluation procedures.
8. All copies of documents used by the District to notify (the parent(s) or guardian of the handicapped child) of actions taken or contemplated relative to evaluations for their (child).
9. A copy of the preplacement evaluation procedures used by the District.
10. Copies of all preplacement efforts and date of such efforts relative to placement of (the child).
11. A list of those involved in evaluating (the child). Indicate their position, qualifications, type of instruments used, purpose of such instruments and whether or not a team effort was used to provide final assessment.
12. A copy of the Oklahoma Education Agency requirements to assess a student as Mentally Retarded and the Oklahoma Education Agency procedures to make such a categorization.
13. A copy of all evaluations completed and procedures used to evaluate (the child's) learning disabilities.
14. A copy of all evaluations completed, and procedures used to evaluate (the child's) placement as handicapped.
15. Copies of documentation relative to requesting new information on (the child's) handicap from his parents.
16. A copy of the District's procedures relative to recordkeeping and review of records.
17. Copies of documents indicating to (the child's parent(s) or guardian) availability to examine relevant records. Indicate at which stage in (the child's) placement that such information was provided.
18. A list of all persons who reviewed (the child's) records and a list of where such records are maintained.
19. Copy of all IEP's (or equivalent used by District)

and written objectives which were developed for (the child).

20. A copy of the procedures/policies used to develop IEP's. Indicate whether parents were involved in a joint meeting with school representatives in developing IEP'S on (the child), the dates of meetings and copy of minutes of the meetings.
21. Copies of minutes of meetings for (the child).
22. Copy of the procedures used by the District when there is disagreement on placement. Indicate whether or not there was disagreement regarding (the child's) placement, and what actions were taken. Provide copies of all documents related to such actions of disagreement.
23. A copy of the District's policy relative to attendance at IEP meetings, the notification procedures and summary of actions taken and matters discussed.
24. A list of all available programs and/or services available for handicapped persons. Indicate the procedures used by the District to initiate programs which meet the individual needs of handicapped students.
25. A narrative statement as to why (the child's) handicapping condition prevents him from being integrated with non-handicapped students.
26. A narrative statement as to why (the child) should not be placed in the (school district) on a full time basis, as requested by (the child's parent(s) or guardian).
27. A copy of the District's due process procedure. Include copies of documents used to notify (the child's parent(s) or guardian) of such procedures.
28. Copies of documented materials used to inform (the child's parent(s) or guardian) or procedural safeguards. Indicate for each document the reason for providing procedural safeguards, and the action taken or contemplated relative to (the child) at the time they were informed about these procedural safeguards.
29. A list of educational services the District currently provides for preschool non-handicapped children.
30. A copy of the District's Section 504 procedural safeguard procedures/policies.

Suggested Form For The Self-Evaluation Study

I. Provide a copy of the school district Transition Plan (Timetable for Architectural Accessibility of Facilities)

II. EDUCATIONAL PROGRAM ACCESSIBILITY

A. List qualifications and requirements for children receiving educational and supportive services from this school district. (Example: Include number of students who live in district and their ages.)

B. List special services available for handicapped children from this school district.

C. Indicate the nature of any cooperative programs with other districts.

D. Attach a description of the procedures required to qualify for special services.

E. Describe the process used to determine where the handicapped child will receive his or her education and what the nature of the educational program will be.

F. Document nature and extent of outreach programs to find and serve handicapped children. Include a copy of the Child Identification Section from the District Plan for Special Education.

III. POLICIES AND PROCEDURES

A. Indicate the standards used for admission

into each academic course offering a program (vocational, college prep, etc., for high school), and describe the nature of special accommodations offered handicapped pupils so that such programs are accessible to them.

B. If any courses or programs are not accessible to handicapped students, explain. (Example: Machine tooling course for blind – hazardous conditions.)

C. 1. List the names and titles of members of the Self-Evaluation Study committee.
   2. Indicate the name and selection method of the member representing handicapped persons. (Example: Parent of Handicapped Child.)

D. 1. Outline the grievance procedure and/or complaint mechanism related to discrimination on the basis of handicap.
   2. Provide the name and title of the designated Section 504 Coordinator.

IV. TRANSPORTATION

A. 1. Describe the means of transportation provided for non-handicapped students.
   2. Describe the means of transportation provided for handicapped students.

B. Indicate the policy and procedures followed in determining the method of providing transportation for handicapped students. (Example: Pay parents or provide special modified buses for transportation.)

V. FINANCIAL ASSISTANCE

A. Describe the nature of any financial assistance (including employment opportunities) provided to handicapped students. (Such assistance and opportunities may not discriminate on the basis of handicap.)

VI. NON-ACADEMIC SERVICES

Describe any of the following services provided to handicapped students:

1. Physical Education
2. Adaptive Physical Education
3. Tutorial Services
4. Counseling
5. Special Vocational counseling and placement services.

VII. Describe the provisions made to include handicapped students fully in social and extracurricular activities sponsored by the school in the following areas:

1. School sponsored organizations, activities (Example: field trips, class trips, senior prom, sports activities)
2. Organizations or activities supported to any degree by the school.
3. Cultural events, both as audience and as participants.

VIII. Describe the health care and insurance provisions covering or offered to non-handicapped students. Describe the health care and insurance provisions covering or offered to handicapped students. (Such provisions should be as full for handicapped students as for non-handicapped students.)

IX. Include a copy of the school district's Affirmative Action Plan for Employment of Handicapped persons and other materials developed as a result of the actions required under the regulations. (See Chapter 2.)

Resources

1. **Title V of the Rehabilitation Act of 1973, 29 U.S.C. 706 (PL 93-112).** This contains Sections 501 through 504. Section 503 governs employment of handicapped persons, and compliance enforcement is under the Office of Federal Contract Compliance, Department of Labor. Section 504 governs accessibility of programs and services. Where ED programs are involved, compliance is under the Office for Civil Rights, ED.

2. **"Employment of the handicapped; affirmative action obligations of contractors and subcontractors,"** Department of Labor, Employment Standards Administration. Federal Register, vol. 39, no. 113 (Tues., June 11, 1974), Part II, pp. 20566-20571.
   These are the Section 503 regulations governing employment of handicapped persons by contractors and subcontractors receiving federal funds. Copies of the regulations may be obtained without charge by writing the U.S. Department of Labor, Office of Federal Contract Compliance, 555 Griffin, Room 506, Dallas, TX 75202.

3. **"Nondiscrimination on basis of handicap; programs and activities receiving or benefiting from federal financial assistance,"** Department of Education, Office of the Secretary, Federal Register, vol. 42. no. 86 (Wed. May 4, 1977), Part IV, pp. 22676-22685. These are the only regulations which have been signed in relation to Section 504; they apply only to agencies and programs under ED jurisdiction. It is hoped that other agencies will model their regulations on these. Copies of the regulations may be obtained without charge by writing the Office for Civil Rights, Department of ED, 1200 Main Tower, Dallas TX 75202.

4. **ANSI standard specifications for making buildings and facilities accessible to, and usable by, the physically handicapped.** American National Standards Institute, Inc., 1430 Broadway, New York, N.Y. 10018 ($0.35).
   These are the accessibility standards acceptable under HEW regulations governing Section 504 compliance.

5. **An illustrated handbook of the handicapped section of the North Carolina state building code,** by Ron Mace, AIA, and Betsy Laslett. North Carolina Department of Insurance, P.O. Box 26387, Raleigh, NC 27611 ($2.50).
   This is the very best book available for architectural accessibility features. The illustrations are clear and very usable, by amateurs as well as professionals. The North Carolina code has every feature of the ANSI Standards, and more. The code goes beyond the ANSI Standards in some requirements, thus providing greater accessibility. Conformity with the North Carolina code insures compliance with the ANSI Standards required by ED.

6. **Accessibility standards illustrated,** by Michael A. Jones, ARIBA. Capital Development Board, Third Floor, WM. G. Stratton Bldg., 401 South Spring St., Springfield, IL 62706.
   This is a very recent (June 1978) book of standards, developed in conjunction with a project which involved handicapped persons who expressed their needs for accessibility. It is very good, with clear illustrations and explanations of the reasons for some accessibility features as they relate to the physical needs of handicapped persons. Comments by handicapped persons, about their accessibility needs, are included. Highly recommended.

7. **Barrier-free site design.** Supt. of Documents, Washington, D.C. 20402 ($2.30). Stock Number: 023-000-00291-4, Catalog Number: HH 1.2: B27 July 1977 HUD-PDR-84(3)
   This booklet provides illustrations of a variety

of outdoor sites which have been made accessible to handicapped persons, as well as textual material describing the types and extent of handicapping conditions in the U.S. Good.

8. **Barrier-free meetings: a guide for professional associations.** American Association for the Advancement of Science, 1776 Mass. Ave., N.W., Washington, D.C. 20036 ($4.00)
This provides a step-by-step guide for any professional group committed to including its handicapped members in its proceedings. Implementation begins early, and must be thorough. An excellent guide.

9. **Design criteria – new public building accessibility.** General Services Administration, 819 Taylor St., Fort Worth, TX 76102 ($2.60)
Contains clear illustrations of the standards followed by GSA, with text. Also descriptions of a number of handicapping conditions, and the physical needs of persons as related to architectural accessibility requirements.

10. **Barrier-free school facilities for handicapped students.** Educational Research Service, Inc, 1800 N. Kent St., Arlington, VA 22209 ($7.90)
This provides a combination of references to and citations of P.L. 94-142 (Education for all Handicapped Children Act) and illustrations for architectural accessibility (reduces in size) from Ron Mace's North Carolina handbook. Some value as an introductory guide for school districts, if they don't have access to the other materials recommended.

11. **Interpretation for handicapped persons,** By Jacque Beechel. College of Forest Resources, University of Washington, Seattle, WA 98195 ($1.00)
The use of "interpretation" here refers to such things as interpretive nature trails and displays. Developed in cooperation with the National Park Service, it is an excellent source of information for parks and recreation personnel. Also contains an excellent section on how to relate to persons with various disabilities, and mental retardation. Invaluable resource.

12. **You can do it from a wheelchair,** Arlington House, Publishers, 81 Centre, Rochelle, NY 10801 ($6.95)
Written by a very courageous woman whose crippling disease is sometimes in remission and sometimes not, this is a very practical book as well as a very encouraging one for anyone who is determined to stay active around the house and elsewhere, even in a wheelchair. Recommended highly for your patrons in a wheelchair.

13. **A manual for the disabled homemaker,** Publications Unit, Institute of Rehabilitation Medicine, 400 East 34th St., New York, N.Y. 10016 ($2.50)
This is a classic, recently revised and updated. Some of the earliest research in rehabilitation was done with disabled homemakers. Include those with heart conditions, stroke, arthritis, and the less visible disabilities, and you'll realize that a number of your patrons could be helped by this book. Highly recommended.

14. **Housing and home services for the disabled,** by Gini Laurie. Medical Department, Harper and Row, 2350 Virginia Ave., Hagerstown, MD 21740 ($20.00)
This book is packed full of helpful solutions to problems of all kinds encountered by physically limited persons. The author is not in a wheelchair herself, but she had brothers with polio, and has been editor of the Rehabilitaion Gazette for twenty years, helping disabled persons find ways to live better. If there's not an aid listed here,

write the author in St. Louis (her address is given in the book) and she will put you in touch with someone who can help. Highly recommended, worth the price.

15. **Functional specifications for small vehicles for use by the handicapped and the elderly.** North Central Texas Council of Governments, P.O. Drawer COG, Arlington, TX 76011 ($1 00)
This agency has listened to persons who have purchased and/or used small vans for transportation of mobility impaired persons, and they have some very practical and possible life-saving suggestions for anyone who is considering purchasing a van, either for personal use or for transportation of small groups.

16. **Accent of living** (magazine), P.O. Box 700, Bloomington, IL 61701, $3.50/year; Paraplegia News (magazine)
These are familiar to a large number of persons who are disabled. You may want to order them, or you may prefer to find persons who will lend their copies.

17. **Amicus (serial)**, National Center for Law and the Handicapped, 1235 North Eddy St., South Bend, IN 46617 $12.00/year to libraries
Up-to-date and reliable information concerning legal aspects of federal laws and regulations related to handicapped persons. Highly recommended as a reference tool as well as a news source.

18. **American Coalition of Citizens with Disabilities (ACCD)**, 1345 Connecticut Ave. NW, Washington, D.C. 20036
The major organization of and for adult handicapped persons.

19. **Oklahoma Coalition of Citizens with Disabilities (OCCD)**, c/o Judith Dennis, 6100 N. Warren, OKC, OK 73112 (405) 946-5263
The Oklahoma organization; address is that of the publishers of the state newsletter.

20. **Directory of organizations interested in the handicapped.** Committee of the Handicapped, People to People Program, 1028 Conn, Ave., NW no. 610, Washington, D.C. 20036

21. **Directory of national information sources on handicapping conditions and related services.** Government Printing Office, Washington, D.C. ($6.00)
This is a very thorough and useful resource; a good reference.

22. **Directory of services and resources to assist the deaf and hearing impaired.** (Jan. 1977), Oklahoma Commission of the Deaf and Hearing Impaired, State Capitol, Oklahoma City, OK 73105.

Sources Of Information

President's Committee
On Employment of the Handicapped
Washington, D.C. 20210

Architectural and Transportation Barriers
Compliance Board
Washington, D.C. 20201

National Center for Barrier-Free Environment
8401 Conn. Ave., N.W.
Washington, D.C. 20015

National Easter Seal Society
2023 W. Ogden Ave.
Chicago, IL 60612

Office for Handicapped Individuals
200 Independence Ave., S.W.
Washington, D.C.

Educational Facilities Laboratories
Box 2040 Grand Central Station
New York, N.Y. 10017

IRUC Briefings, AAHPER
1201 16th St., N.W.
Washington, D.C. 20036

National Rehabilitation Information Center
308 Nullen Library
Catholic University of America
Washington, D.C. 20064 (202)635-5826

National Clearinghouse
of Rehabilitation Training Materials
115 Old USDA Building
Stillwater, OK 74074 (405)624-7684
Patsy Stafford, Information Specialist

Yearbook of Special Education ($34.50)
Marquis Academic Media
200 Ohio St.
Chicago, IL 60611

Educational Programming for the Severely
And Profoundly Handicapped ($14.95)
Ed Santag, Ed.
CEC Division on Mental Retardation
1834 Meetinghouse Road
Boothwyn, PA 19061

Appendix

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Department of Health, Education, And Welfare
ASSURANCE OF COMPLIANCE WITH SECTION 504
OF THE REHABILITATION ACT OF 1973, AS AMENDED

The undersigned (hereafter called the "recipient") HEREBY AGREES THAT it will comply with section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), all requirements imposed by the applicable HEW regulation (45 C.F.R. Part 84), and all guidelines and interpretations issued pursuant thereto.

Pursuant to § 84.5(a) of the regulation [45 C.F.R. 84.5(a)], the recipient gives this Assurance in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts (except procurement contracts and contracts of insurance or guaranty), property, discounts, or other federal financial assistance extended by the Department of Health, Education, and Welfare after the date of this Assurance, including payments or other assistance made after such date on applications for federal financial assistance that were approved before such date. The recipient recognizes and agrees that such federal financial assistance will be extended in reliance on the representations and agreements made in this Assurance and that the United States will have the right to enforce this Assurance through lawful means. This Assurance is binding on the recipient, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the recipient.

This Assurance obligates the recipient for the period during which federal financial assistance is extended to it by the Department of Health, Education, and Welfare or, where the assistance is in the form of real or personal property, for the period provided for in § 84.5(b) of the regulation [45 C.F.R. 84.5(b)].

The recipient: [Check (a) or (b)]

a. ( ) employs fewer than fifteen persons:
A73

b. ( ) employs fifteen or more persons and, pursuant to § 84.7(a) of the regulation [45 C.F.R.84.7(a)], has designated the following person(s) to coordinate its efforts to comply with the HEW regulation:
A74

Name of Designee(s) – Type or Print
C12 C42

Name of Recipient – Type or Print
A12 A41

Street Address or P.O. Box
A42 A71

(IRS) Employer Identification Number
A1 A11
B1 B11
C1 C11

City
B12 B41

State Zip
B42 B71

I certify that the above information is complete and correct to the best of my knowledge.

Date
B72 B77

Signature and Title of Authorized Official
B78

If there has been a change in name or ownership within the last year, please PRINT the former name below:

NOTE: The 'A', 'B', and 'C' followed by numbers are for computer use. Please disregard.
PLEASE RETURN ORIGINAL TO: Office for Civil Rights, HEW, P.O. Box 8222, Washington, D.C. 20024.

HEW 641 (5/77)

Important Dates For Section 504 Compliance

April 28, 1977	Final regulation signed.
May 4, 1977	Final regulation published in the *Federal Register.*
June 3, 1977	Regulation in effect.
July 5, 1977	Deadline for return of Assurance of Compliance (Form HEW 641) from all institutions receiving financial assistance from Hew.
August 2, 1977	Deadline for programs or activities in existing facilities to be made accessible (where structural changes are not required). See paragraph 84.22 (d) in regulation.
September 2, 1977	ED fund recipients who employ 15 or more employees shall, by this date, make initial notification that they do not discriminate on the basis of handicap in accordance with paragraph 84.8 (a) of the regulation.
December 2, 1977	In the event that structural changes in existing facilities are necessary to make programs accessible, recipients of ED funds shall, by this date, develop a transition plan outlining the steps needed to complete these changes. A copy of the transition plan would be made available for public inspection. See paragraph 84.22 (e) of the regulation.
June 2, 1978	Deadline for ED recipients to complete a self evaluation process in consultation with handicapped individuals and organizations. See paragraph 84.6 (c) of the regulation.
September 1, 1978	Deadline for public elementary and secondary schools to provide to each qualified handicapped student a free appropriate education in accordance with paragraph 84.33 (d) of the final regulation.
June 2, 1980	Deadline for structural changes to be made in existing facilities where necessary to achieve program accessibility.